

L A W S

OF THE

STATE OF INDIANA,

PASSED AND PUBLISHED AT THE SIXTH SESSION

OF THE

GENERAL ASSEMBLY,

HELD AT CORYDON, ON THE NINETEENTH OF NOVEMBER,

IN THE YEAR ONE THOUSAND EIGHT HUNDRED

AND TWENTY-ONE.

BY AUTHORITY.

NEW ALBANY:

MATRICK AND WHELOCK,

STATE PRINTERS.

1821-'22

LAWS

OF THE

STATE OF INDIANA.

CHAPTER I.

AN ACT for the relief of James Besse and John Eastburn.

WHEREAS it is represented to this Preamble.
General Assembly, that James Besse and John Eastburn, in pursuance of authority from his Excellency the Governor of this state, pursued the late murderer John Dahman to Malden in Upper Canada, arrested and brought him to New-Albany in this state, where the sentence of the law was executed upon him; for which meritorious service no compensation has yet been made; Therefore,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the sum of one hundred and fifty dollars be, and the same is hereby appropriated, and that the auditor of public accounts audit, and the treasurer of state pay to the said James Besse and John Eastburn the sum aforesaid out of any money in the treasury not otherwise appropriated. 150 dollars appropriated.

This act to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON.

President of the Senate.

Approved December 22d, 1821.

JONATHAN JENNINGS.

CHAPTER II.

AN ACT to amend the act entitled "An act for the limitation of criminal prosecutions, approved January 22d, 1820."

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That all indictments which shall hereafter be exhibited for any crime, or misdemeanor, treason, murder, sodomy, arson, burglary, man-stealing, horse-stealing, and forgery, excepted, shall be exhibited within two years next after the offence shall have been committed and not after: and if exhibited after the time hereby limited the same shall be void, *Provided* however, that if the person against whom such indictment shall be exhibited, shall not have been an inhabitant, or usually resident, within this state during the said two years, then the same shall, or may be exhibited against such person, at any time within two years, during which he shall be an inhabitant or usually resident within this state, after the offence committed; *And provided also,* that where any indictment

Indictments to be exhibited within 2 years.

Proviso, with regard to a person who shall not have been an inhabitant.

for any crime or misdemeanor, is limited by any statute, to be exhibited within a shorter time than is hereby limited, then the same shall be exhibited within the time limited by such statute.

SEC. 2. That the second section of the act to which this is an amendment be, and the same is hereby repealed.

2d section of former act repealed.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON.

President of the Senate.

Approved Dec. 22d, 1821.

JONATHAN JENNINGS.

CHAPTER III.

AN ACT legalizing certain proceedings of the board of County Commissioners of Vigo county.

WHEREAS it is represented to this General Assembly, that the Board of County Commissioners of Vigo county, did at their sitting in March last instead of May, assess the tax in and for the said county; in consequence whereof a number of taxables in said county have refused to pay their taxes; and the sheriff of the said county is uncertain as to his authority, and unwilling to coerce payment—to remedy which:—

Preamble.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the proceedings of the said board of County Commissioners in and for Vigo county at their sitting in March last, as respects the as-

Proceedings of com. legalized.

48)
assessing the tax in the said county for the present year, be, and the same are hereby legalized and made as valid as though the same had been done at their May term. And the sheriff of the said county is hereby authorised to proceed in the collection thereof as fully and effectually to all intents and purposes, as if the said assessment had been made at the said May term.

This act shall take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATHLEIGH BOON,

President of the Senate.

Approved Dec. 23d. 1821.

JONATHAN JENNINGS.

CHAPTER IV.

AN ACT authorising the writ of replevin.

Sec. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the several Circuit Courts within this state be, and they are hereby invested with jurisdiction to issue writs of replevin in the manner, and in such cases as are herein afterwards prescribed.

Sec. 2. Whenever hereafter, any person or persons shall tortiously take, and unjustly and unlawfully detain; or lawfully acquire, and unlawfully and unjustly detain, any of the personal goods and chattels of any other person or persons whomsoever, such person or persons so aggrieved

may replevy his, her, or their property so taken and detained as aforesaid.

Sec. 3. Before any person or persons shall be entitled to the benefit of said writ, such person or persons, his, her, or their agent or attorney, shall file in the Clerk's office from which said writ issues, an affidavit, made before some officer authorised by law to administer oaths, that the goods and chattels which he, she, or they wish to replevy, have been tortiously taken, and unjustly and unlawfully detained, or that they were lawfully acquired and unjustly and unlawfully detained as the case may be by such defendant or defendants naming him, her, or them, from the plaintiff or plaintiffs naming him, her, or them.

Sec. 4. When such affidavit is made and filed as aforesaid, the clerk in whose office it is deposited, shall forthwith issue a writ of replevin directed to the proper officer of the county, commanding him to take into his custody the particular goods and chattels described in such affidavit and them safely keep until said plaintiff or plaintiffs shall well and truly satisfy him by good and sufficient pledges, that he, she, or they will well and truly prosecute said writ to effect, and return such goods and chattels, provided a return on the final hearing of the cause, should be adjudged by the court, to the defendant or defendants.

Sec. 5. The sheriff or other officer to whom the aforesaid writ shall be directed,

affidavit to be filed.

Clerk to issue writ.

Writ of replevin.
C. Court invested with jurisdiction to issue.

Property may be replevied.

Before deli-
very of
goods, she-
riff to take
pl'ss bond.

Def't not
guilty, she-
riff shall as-
sign to him
the bond.

On failing
to give bond
property to
be returned
to def't.

before he delivers the goods and chattels taken by virtue of the same, to the plaintiff or plaintiffs in such writ, shall take from him, her, or them, a penal bond, in double the amount of the property replevied, with security to the acceptance of said officer, conditioned that he, she, or they will well and truly prosecute said writ to effect, and return said goods and chattels on the final hearing of the cause to the defendant or defendants: *Provided*, that he, she, or they shall be found not guilty of the taking of the said goods and chattels in manner and form aforesaid; and if such defendant or defendants should be found not guilty as aforesaid, it shall be the duty of the sheriff or other officer, taking said bond, at the request of the defendant or defendants to assign the same to him, her, or them, who may commence suit thereon, in his, her, or their own name or names when the same becomes forfeited, and thereupon recover the value of the goods and chattels replevied in damages, together with not less than twenty, nor more than fifty per cent. thereon; and if the defendant or defendants be found guilty, the plaintiff or plaintiffs shall be permitted in like manner to recover damages for the detention of such goods and chattels unlawfully, to be determined by the jury that tries the cause.

Sec. 6. After the sheriff or other officer has replevied any goods and chattels by virtue of this act, if the person or persons so replevying the same, shall fail or re-

fuse to give bond within twenty four hours for the prosecution of said writ to effect, and for a return of said goods and chattels, such officer having the possession thereof, shall immediately thereafter return said goods and chattels to such defendant or defendants from whom they were taken, and take his, her, or their receipt therefor.

Sec. 7. The same proceedings shall be had upon said writ as in other cases, and in such judgment rendered, and execution awarded according to the rules and regulations in other cases of this nature, except that double costs shall not be recovered.

Sec. 8. Nothing herein contained, shall be so construed as to extend the privilege of said writ, to any execution defendant or defendants to replevy property taken by virtue of the same, by any officer of this state.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 21th, 1821.

JONATHAN JENNINGS.

CHAPTER V.

AN ACT appointing commissioners to relocate the seat of justice of Crawford county, and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That Samuel*

B

Proceedings
upon said
writ like
those in o-
ther cases,
double costs
excepted.

Privilege
not extend-
ed to execu-
tion defend-
ants.

Com's appointed.

When and where com's shall meet.

Their duty and how governed.

Improvements valued, and purchasers of lots indemnified.

Gonner of Perry county, Henry P. Thornton of Scott county, Stephen Ranny of Clark county, Isaac Stewart of Floyd county, and Robert M. Evans of Vandeburgh county, be, and they are hereby appointed commissioners to relocate the seat of justice of Crawford county; the commissioners aforesaid or a majority of them shall meet in Mountsterling on the first Monday of March next, and after being duly sworn, shall proceed to examine the situation of said county as well local as extent of territory, and if in their opinion it will be the interest of said county to remove the seat of Justice from Mountsterling, they shall procure by donation or by purchase a quantity of land sufficient for laying off a town upon a reasonable scale on an eligible site; they shall receive the same pay and be governed in all respects, by the provisions of an act entitled "an act for fixing seats of justice in all new counties hereafter to be laid off," approved the second day of January one thousand eight hundred and eighteen and the amendments thereto now in force in this state.

SEC. 2. The commissioners aforesaid shall also value improvements made on lots in Mountsterling, the present seat of justice of said county of Crawford, and digging the public well therein; the amount of such valuation the said county shall pay to the individuals who have made the same, their heirs or legal representatives, together with the amount

heretofore paid by the purchasers of lots to the county, and the persons thus receiving pay shall have no farther claim to lots purchased in said town of Mountsterling.

SEC. 3. As soon as the county agent is satisfied that a court house or other house is provided in all respects equal to the court house in Mountsterling, he shall report the same to the Board of County Commissioners for the said county of Crawford, who shall forthwith direct the clerk of the Circuit Court and the Recorder of the county to remove their offices to such new town, and from that time the circuit, and all other courts for said county, shall be holden there, and the seat of justice of said county shall thereafter remain at such new site: *Provided* however, that if the said commissioners after examining the situation of said county, should be of opinion that it would be the interest of said county that the seat of justice of said county should not be removed from the said town of Mountsterling, they shall report the same in writing under their hands and seals to the County Commissioners of said county, who shall cause their clerk to record the same; and the seat of justice shall thereafter remain at Mountsterling.

SEC. 4. The sheriff of Crawford county shall notify the said commissioners of the time and place appointed hereby for them to meet and to proceed to discharge the duties assigned them by this act, for which

Clerk and recorder to remove their offices when directed by C. Com's.

Provido.

Sheriff of county to notify com's.

he shall receive such compensation as by the Board of County Commissioners of said county shall be deemed just and reasonable, to be paid out of the county treasury of said county of Crawford.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved December 21th, 1821.

JONATHAN JENNINGS.

CHAPTER VI.

AN ACT dissolving the bans of matrimony between Polly Jenkins, late Polly Hickey, and her husband Josiah Jenkins.

Bans of
matrimony
dissolved.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana*, That the bans of matrimony heretofore solemnized between Polly Jenkins of Orange county in this state, and Josiah Jenkins her husband, be and the same is hereby dissolved, and the said Polly Jenkins be and she is hereby free from any obligation in consequence of the aforesaid marriage contract, in all respects as if the same had never been entered into.

This act to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved December 21th, 1821.

JONATHAN JENNINGS.

CHAPTER VII.

AN ACT for the relief of Jeremiah Lockwood.

Trustees to
remunerate
for im-
provements.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana*, That the trustees of the state seminary be and they are hereby authorised and empowered, to pay Jeremiah Lockwood such sum of money as the trustees may deem just and reasonable, out of any moneys arising from the sales of lots at the seat of said seminary, as a compensation for certain improvements owned and held by said Lockwood on the section of land on which the site for the state seminary is located:—

Provided however, that the trustees aforesaid shall be governed in making such allowance by the provisions of an act approved January the fifth one thousand eight hundred and twenty one, entitled an "act for the relief of James Thompson, Jesse W. Knighten and David Downs.

Proviso.

This act to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved December 7th, 1821,

JONATHAN JENNINGS.

CHAPTER VIII.

AN ACT, supplementary to the act entitled an act for the formation of a new county north of Vigo County.

SEC. 1. *Be it enacted by the General As-*

Former act
repealed.

sembly of the state of Indiana, That so much of the third section of the act entitled "an act for the formation of a new county north of Vigo county," as requires the commissioners therein named, for the purpose of fixing the seat of justice of said new county, called the county of Parke, to convene at the house of Samuel Blair, on the third Monday of February one thousand eight hundred and twenty two, and immediately thereon to proceed to discharge the duties in such cases assigned by law, be and the same is hereby repealed.

Vacancy of
seat's sup-
plied.

SEC. 2. That inasmuch as George Ewing, one of the commissioners in said section named, has removed from the state of Indiana, therefore that Josephus Collett, of the county of Vigo, be and he is hereby appointed a commissioner for the purposes aforesaid, to supply the vacancy occasioned by the removal of the said George Ewing.

When and
where court
shall meet.

SEC. 3. That with the exception of the said George Ewing, the commissioners named in the third section of the act aforesaid, and the said Josephus Collett, the commissioner named in the second section of this act, shall convene at the house of William Webster in said county of Parke, on the second Monday of November one thousand eight hundred and twenty two, and shall then proceed to discharge the duties assigned them by the law in such case made and provided.

This act shall take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved Dec. 7th. 1821.

JONATHAN JENNINGS.

CHAPTER IX.

AN ACT to divorce Peggy Harnis from her husband Michael Harnis.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That Peggy Harnis be, and she is hereby divorced from the bands of matrimony contracted with her husband Michael Harnis, as fully to all intents and purposes, as if the same had never been entered into.

Banns of
matrimony
dissolved.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved December 7th, 1821.

JONATHAN JENNINGS.

CHAPTER X.

AN ACT, repealing part of a joint resolution concerning the Treasurer of State, approved December thirteenth eighteen hundred and twenty.

SEC. 1. *Be it enacted by the general assembly of the state of Indiana,* That so much

of the joint resolution concerning the Treasurer of State, approved December thirteenth eighteen hundred and twenty, as requires the Treasurer of State to register the number, date, and amount of each note, be, and the same is hereby repealed.

This act to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved Nov. 28th. 1821.

JONATHAN JENNINGS.

CHAPTER XI.

AN ACT establishing a permanent system of statute laws in this state.

Preamble.

WHEREAS great and increasing evils result from the uncertainty, and other numerous defects which exist in the statute laws of this state, productive of much unnecessary public expense, as well as private loss and vexation from avoidable litigation; and whereas a well digested, comprehensive and permanent code of statutory regulations, would greatly tend to check, if not entirely remove those grievances at present so oppressive to all classes of the community—Therefore,

SEC. 1. *Be it enacted by the general assembly of the state of Indiana, That the*

General Assembly shall by joint ballot of both Houses at this present session elect a suitable person for the purpose of revising the statute laws of this state. Revisor to be appointed.

SEC. 2. The person appointed in the manner aforesaid, shall have full power to revise, alter, amend, abridge, enlarge and model the statute laws of this state, so as to produce a comprehensive and systematic code, best fitted in his opinion to subserve the public interest and happiness. His power.

SEC. 3. The aforesaid code of laws shall be submitted to the next General Assembly for their consideration, by such revisor if practicable, and if not at the then next succeeding General Assembly. When he shall submit a code.

SEC. 4. The person who shall be so appointed as aforesaid, shall receive for his services the sum of one thousand dollars, to be paid him from the Treasury of the state; two hundred dollars in advance, and the residue when he shall present to the General Assembly the code of laws which he shall have prepared. His compensation.

SEC. 5. Two hundred dollars are hereby appropriated for the purpose aforesaid; and the auditor of public accounts is hereby authorised and directed to audit, and the treasurer of state to pay the demand for said sum, whenever the same shall be presented by the person entitled thereto, out of any moneys in the treasury not otherwise appropriated. Appropriation.

This act shall be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved December 17th, 1821.

JONATHAN JENNINGS.

CHAPTER XII.

AN ACT legalizing the acts and proceedings of the commissioners appointed by the last General Assembly, to lay off a town on the site selected for the permanent seat of government; and to legalize the report and allowances made and signed by Christopher Harrison, one of the said commissioners.

Proceedings
of com. le-
galized.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the proceedings of Christopher Harrison, one of the commissioners appointed under the provisions of the act entitled "an act appointing commissioners to lay off a town on the site selected for the permanent seat of government, approved January the sixth one thousand eight hundred and twenty one (as reported by the secretary of state to the present session of the General Assembly) be and the same are hereby legalized; and all allowances certified by him as one of said commissioners shall be deemed and taken to be as valid as if the same had been done by a majority of said commissioners.*

Certified al-
lowances,
valid.

This act to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved Nov. 28th, 1821.

JONATHAN JENNINGS.

CHAPTER XIII.

AN ACT authorising the Associate Judges to appoint a Clerk pro tem. in certain cases

SEC. 1. *Be it enacted by the general assembly of the state of Indiana, That whenever any clerk of the Circuit Court of any county in this state, shall in the recess of such court, resign, die, or be removed from office, it shall be the duty of the Associate Judges of said county, to meet as soon as practicable thereafter as a Circuit Court for that purpose alone, at the court house of said county, or some place, as hereinafter mentioned of holding the Circuit Courts of said county, and proceed to appoint a clerk pro tem. until a qualified clerk may be duly elected, Provided also, that the presiding judge of the Judicial Circuit, in which said county may be, if present at the time, and place, when and where said appointment is to be made, may likewise have a voice in making said appointment, and that in the case here provided for, a majority of the members*

Associate
judges may
appoint a
clerk pro
tem.

Proviso.

President
judge may
have a voice

of the Bench in favor of any proposed clerk shall be necessary to a choice

Such clerk
to be quali-
fied as pre-
scribed by
law.

SEC. 2. And be it further enacted, that when a clerk is so appointed he shall immediately thereon, take an oath or affirmation, and enter into bond, with approved security, and shall in all respects be considered subject to the provisions touching the clerk of the Circuit Court, as expressed in the act entitled "an act organizing Circuit Courts, and for other purposes."

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved Dec. 7th. 1821.

JONATHAN JENNINGS.

CHAPTER XIV.

AN ACT supplemental to "an act organizing Circuit Courts and for other purposes" approved December twenty-fourth, one thousand eight hundred and eighteen.

The several
C. Courts
may direct
writs of ex-
ecution to
the proper
officer in
any county
in the state

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the several Circuit Courts in this state, be, and they are hereby authorized to issue at the request of the party or parties interested therein, writs of execution directed to the proper officer in any county within this state, returnable to the second rule day thereafter, the duty of which officer it shall

be to obey and execute the same, in the same manner in which similar writs issued by the Circuit Court of the county in which he resides, are executed; and return the same to the office of the Clerk of the court from which they may issue: *Provided*, however, that the same shall not issue to such other county until after a return of "not found," or "no goods or chattels" or "no goods or chattels, lands and tenements," as the case may be.

Duty of
such officer

Proviso,

SEC. 2. It is hereby declared that judgments rendered in any of the courts aforesaid are, and they are hereby made liens upon the real estate situate in the county where they may be rendered of the defendant or defendants in such judgment from the day of the rendition thereof; and all levies and extensions upon such real estate, of executions issuing upon such judgments, shall take effect from the date of the lien aforesaid.

Judgments
made liens
upon real
estate from
the day of
rendition,

SEC. 3. It shall and may be lawful hereafter for any person or persons interested in any judgment rendered or to be rendered by any of the courts aforesaid to procure of the clerk of the court which has or may render such judgment, an attested copy of the same, under the hand of the clerk and the seal of the court and to file such attested copy in the office of the clerk of any circuit court in this state: which said attested copy filed as aforesaid shall operate as a lien upon the real estate of the defendant or defendants in such judgment in the county where such copy shall

A copy of a
judgment
may be filed
in the clerk's
office of any
other circuit

Such copy
shall be a
lien upon
real estate
from the fil-
ing of the
same

be filed from and after the time of filing the same, and shall thereafter have the same force and effect of a judgment rendered in such court, *provided* always that no execution shall issue upon such attested copy.

Proviso,

Clerk's duty.

SEC. 4. It shall be the duty of the clerk of any of the courts aforesaid, who shall be required by any person or persons legally interested therein or by their agent or attorney, to make out such attested copy as aforesaid of any judgment, forthwith to do the same, attested under his hand and the seal of the court upon receiving therefor from the person demanding it, the sum of fifty cents, and the clerk of any circuit court within this state, who shall be required to receive and file in his office such attested copy shall do so upon receiving the sum of twenty-five cents therefor.

Further duty of clerk.

SEC. 5. It shall also be the duty of such clerk to register such attested copy and the time of receiving the same, in a book which he shall provide for that purpose, and such registry shall be exemplified and be given in evidence in the same manner in which records of courts are exemplified and given in evidence.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,

President of the Senate.

Approved December 11th, 1821.

JONATHAN JENNINGS.

CHAPTER XV.

AN ACT to amend the act entitled "An act prescribing the mode of changing the venue," approved December the thirty first, eighteen hundred and eighteen.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That in all suits or issues at law, cognizable in any of the circuit courts of this state, where either of the parties shall conceive, that he, she, or they, will not receive a fair and impartial trial in the court where such cause is pending, owing to the undue influence of his, her, or their adversary or adversaries, or to the odium which attends the said party, or attaches to his, her, or their legal cause of action or defence, or to local prejudices; it shall and may be lawful for the party, so suspecting that he, she or they will not receive a fair and impartial trial in the court then sustaining said suit, owing to the said causes or any of them, at any time to petition a president of the circuit, or the associate judges of the county, where the suit is pending, for a change of venue; which said petition shall distinctly set forth the cause or causes why such suspicion is entertained, and be supported by the affidavit of the petitioner or petitioners, or some one of them.

Suspicion of not receiving a fair trial may be made known to a president judge or his associates, by petition and affidavit.

SEC. 2. It shall be lawful for the said Judge or Judges, on the receipt of said petition, supported by affidavit as aforesaid, under his or their hand or hands to award

A change of venue to be awarded.

Proceedings
as prescri-
bed in the a-
mended act,

a change of venue ; which said change of venue, shall be proceeded in, and conducted in all respects, not hereby otherwise directed, in the same manner which is prescribed in and by the act to which this is an amendment for changing the venue for the causes therein specified.

This act to take effect and be in force from and after its publication.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,

President of the Senate.

Approved December 11th, 1821.

JONATHAN JENNINGS.

CHAPTER XVI.

AN ACT supplementary to an act authorising Rebecca Heth and Fielding M. Bradford, Administrators of Harvey Heth deceased, to sell and convey certain lots, &c.

Administra-
trix author-
ised to sell
certain lots,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That as Fielding M. Bradford has died, since the passage of an act, to which this is a supplement, Rebecca Heth Administratrix of Harvey Heth deceased be, and she is hereby authorised to act, in conformity to the provisions of the first and second sections of an act authorising the said Rebecca Heth and Fielding M. Bradford the Administrators of Harvey Heth deceased to sell and convey certain lots, approved the thirtieth of December one thousand eight

hundred and sixteen, and that her conveyance shall be as good and valid in law as if the said Fielding M. Bradford in his lifetime had conveyed the premises jointly with the said Rebecca Heth.

This act to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,

President of the Senate.

Approved December 11th, 1821.

JONATHAN JENNINGS.

CHAPTER XVII.

AN ACT for the relief of Thomas Beezley and others.

Whereas Thomas Beezley of the county of Lawrence has an order on the Treasury of said county for about the sum of two hundred and twenty dollars, which order was due said Beezley in the month of July last and was to be paid out of the money arising from the sale of lots in the town of Palestine the seat of Justice of said county.

And whereas the said Beezley purchased lots in said town at the sale of lots therein, for which he stands indebted on said purchase in the sum of thirty three dollars and thirty three cents, for which sum his property is now under execution, and the Agent of said county refuses to make any

set off on settlement of said order as aforesaid, for remedy whereof:

Agent of
county to
set off to the
amount of
purchase of
lots,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That it shall be the duty of the Agent of the county of Lawrence aforesaid, to set off with the said Thomas Beezley on presentment of his order as aforesaid the sum said Beezley may be owing on his purchase of lots as aforesaid, and endorse on the said order the sum so set off and charge the county with said sum, and that he shall, and it is hereby made his duty to receive any order which has been given by the board of county Commissioners for payment out of monies arising out of the sale of lots, or where the said order shall exceed the sum due by any person or persons so indebted shall endorse on such order the sum so set off, and take the receipt of such person or persons therefor which shall be a sufficient voucher for the said Agent as aforesaid.

Agents for
their duty,

SEC. 2. This act shall take effect from and after its passage, and a certified transcript hereof shall give validity to the same.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 12th, 1821.

JONATHAN JENNINGS.

CHAPTER XVIII.

AN ACT supplemental to an act entitled an act for the relief of the poor.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That if any poor person shall suppose that he or she is entitled to the benefit of the laws for the relief of the poor, and the overseers of the township in which he or she resides shall refuse to give such person the benefit thereof upon application of such person the Board of county Commissioners may if they think proper, direct the overseers to receive him or her upon their poor list.

County com's.
may direct
overseers to
receive pau-
pers,

SEC. 2. All idiots brought into the state previous to the adoption of the constitution of the state of Indiana, and who now reside therein, shall be considered as legal residents of the county in which they may respectively reside.

Idiots, when
resident,

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 17th, 1821.

JONATHAN JENNINGS.

CHAPTER XIX.

AN ACT to dissolve the bands of matrimony between Josephus Collett and Elizabeth Tiffin.

SEC. 1. *Be it enacted by the general assembly of the state of Indiana,* That the

Bands of
matrimony
dissolved,

bands of matrimony, heretofore solemnized between Josephus Collett and Elizabeth Tiffin, be, and the same are hereby dissolved.

This act to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate

Approved December 1821.

JONATHAN JENNINGS.

CHAPTER XX.

AN ACT concerning lands granted for the use of Salt Springs.

Gov. authorised to employ some person to examine salt springs,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the Governor be and he is hereby authorised and empowered from time to time, or as often as he shall receive information of any salt springs on the lands of the United States within the limits of this state, to employ some fit person, if he should deem it necessary, to examine the same, and ascertain the probable quantity of land, necessary for working such spring or springs so found, or which may have been returned as salt springs by the surveyors of the public lands, and the Governor is further authorised and empowered for and in behalf of the state to make application to the President of the United States for such quantity of land at each and every salt spring

To make application to the President of the U. S. for land,

as he may deem sufficient for working the same.

SEC. 2. And the Governor as Agent for, and in behalf of the state is hereby invested with full power to do and transact all and every thing that may be necessary on the part of this state fully to carry into effect the second proposition contained in the sixth section of an act of Congress entitled an act to enable the people of the Indiana Territory to form a constitution and state government and for the admission of such state into the Union, on an equal footing with the original states.

Gov. further empowered,

SEC. 3. And any expense which may be created by virtue of this act shall be paid out of the contingent fund in the same manner as other contingencies are paid.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 17th. 1821.

JONATHAN JENNINGS.

CHAPTER XXI.

AN ACT to appropriate money for the payment of Twenty thousand dollars of the public debt.

SEC. 1. *Be it enacted by the general assembly of the state of Indiana,* That the sum of twenty-one thousand two hundred dollars be and the same is hereby appropriated for the payment of two several bonds

Appropriation to discharge several bonds due the S. B.

executed by the Governor of this state to the President Directors and company of the Bank of Vincennes pursuant to an Act of Assembly approved December the eleventh one thousand eight hundred and sixteen, one for ten thousand dollars, bearing date the thirtieth day of December one thousand eight hundred and sixteen, one for four thousand dollars bearing date the third day of January one thousand eight hundred and seventeen, and one executed to the President Directors and company of the Bank of Vincennes adopted the state Bank of Indiana for six thousand dollars, bearing date the thirtieth day of April one thousand eight hundred and seventeen, together with the interest that may be due on each of the aforesaid several bonds at the time payment may be made.

Sec. 2. The state Treasurer is hereby directed to discharge the aforesaid several bonds on or before the time they may severally become due.

This act to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 1st, 1821.

JONATHAN JENNINGS.

CHAPTER XXII.

AN ACT to dissolve the bands of matrimony between Catharine Sellers, (late Catharine Moffitt) and her husband Nathan Sellers.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the bands of matrimony heretofore entered into between Catharine Moffitt and Nathan Sellers, be, and the same are hereby dissolved. Bands of matrimony dissolved.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 17th, 1821.

JONATHAN JENNINGS.

CHAPTER XXIII.

AN ACT in amendment of an act to reduce into one act all the acts and parts of acts relative to crimes and punishments; Approved January 29th 1818.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That if any person having taken a lawful oath or made affirmation, and the same has been administered to him or her in some Judicial proceedings, and in all such cases as the law requires an oath or affirmation, who shall swear or affirm wilfully absolutely and falsely in a matter material to the issue or point in question, he or she so offending shall be deemed guilty of perjury, and no Perjury.

Punishment therefor, on conviction thereof, shall receive upon his or her bare back any number of stripes not exceeding one hundred, fined in any sum not exceeding one thousand dollars, suffer imprisonment in the common Jail in the proper county for any term not exceeding six months, and be disfranchised and forever after be incompetent to give evidence in any court in this state.

Officer suffering prisoner to escape shall be fined,

SEC. 2. If any officer of this state whose duty it is to have the custody of any prisoners either on original, mesne, or final process, shall negligently suffer such prisoner to escape he shall be fined in any sum not exceeding ten thousand dollars: and if any such officer shall voluntarily permit any such prisoner to escape or go at large the officer so offending shall suffer the same punishment that the person so escaping with the said officer's consent, would have suffered had he not escaped, and been found guilty. And should private person or persons effect the escape of any person lawfully imprisoned such offender or offenders their aiders and abettors shall suffer the same punishment that the person so escaping would have suffered had he not escaped and been found guilty: *Provided* however, that nothing in this section shall be so construed as to inflict the punishment of death on any person permitting, effecting or aiding and abetting any escape whatever; but in all cases where the prisoner or prisoners would have been punished with death if he, she, or they would have been found guilty of

Persons abetting the escape of prisoner, how punished,

the offence for which he, she or they were arrested, the jury who tries the person or persons who permitted, effected or abetted such escape shall inflict such fine, pains, and penalties as they may think proper.

SEC. 3. If any person or persons shall perpetrate an assault or an assault and battery, with an intent to commit a rape, sodomy or murder, the person or persons upon conviction shall, in addition to the punishment inflicted by the act to which this is amendment, for simple assault and battery, be whipped not exceeding one hundred, nor less than thirty-nine stripes.

Assault and battery with intent to commit a rape, how punished,

SEC. 4. If any person or persons shall knowingly and designedly by any false pretence or pretences whatever, obtain from any person or persons any goods, wares or merchandize, or bonds, bills of exchange, bank notes, or any securities or orders for the payment of money or the transfer of goods or any valuable thing whatsoever, with an intent to defraud, such person or persons of the same, he she or they so offending shall upon conviction thereof, by verdict or confession of judgment shall suffer such fine, punishment and penalties as in case of larceny, is provided to be inflicted. The ninth, twenty-fourth, sixty-seventh and sixty-eighth sections of the act to which this is an amendment, are hereby repealed.

Fraud and deceit,

Punishment therefor,

9. 24, 67 & 68th secs. of amended act repealed

SEC. 5. If any person or persons shall hereafter be indebted under the fourteenth section of the act to which this is an amendment, for passing counterfeit note or

On indictments for passing counterfeit

bills, who
shall be
competent
witnesses,

The same
provisions in
civil cases,

Adultery
and fornication,

Punishment

Judgment
of death,

How execu-
ted,

On indict-
ments and
present-
ments the
C. Courts
shall order

notes, bill or bills, it shall be lawful for any person on the trial to be witness against such person or persons so indicted to prove the note or notes, bill or bills for which he she or they are indicted, is or are counterfeit leaving the credibility of such witness to the jury, any law to the contrary notwithstanding. And that in all civil cases where the question, shall be whether a note be forged or counterfeit or not, any persons acquainted with the general face of notes shall be competent witnesses; but three or more witnesses shall be required to establish the fact.

SEC. 6. If any person shall hereafter live in open and notorious adultery or fornication, he or she shall upon conviction by presentment or indictment before any competent tribunal, pay a fine if a male not exceeding three hundred dollars, and be imprisoned if a female not exceeding three months at the discretion of the jury who may try the same.

SEC. 7. That in all cases where judgment of death shall be given, such judgment shall be executed by hanging the person or persons, upon whom judgment of death may have passed, by the neck until he, she or they be dead.

SEC. 8. It shall be the duty of the several Circuit Courts in all cases where any indictment or presentment shall be found as true bills or presentments to make an order fixing the amount of bail to each offence, which shall be bailable by

law, to be endorsed on the back of the process by the clerk of said court; and the sheriff or other officer who shall serve such process shall, and he or they are hereby authorized to take a recognizance from the defendant together with one or more good and sufficient person or persons in double the sum endorsed upon such process conditioned for the appearance of the said defendant or defendants on the first day of the next term of the Circuit Court to be holden in such county to answer to such matters and things as shall or may then and there be charged against him, her or them and that he, she or they will not depart without leave of such court: which recognizance shall not be set aside or adjudged insufficient for want of form.

SAMUEL MILROY, Speaker
of the House of Representatives,
RALPH BOON,
President of the Senate,

Approved January 3d. 1842.

JONATHAN JENNINGS,

CHAPTER XXIV.

AN ACT for the formation of a new county out of the counties of Delaware and Wabash.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That from and after the fifteenth day of February next, all that part of the counties of Delaware and Wabash contained, within the following boundaries to wit, Beginning

amount of
bail.
Clerk to en-
dorse same
on process,
Sheriff to
take recog-
nizance,

Condition
thereof,

Boundaries

On the township line, dividing ten and eleven north, where the line dividing the ranges two and three east crosses the same; thence west to the centre of range two west of the second principal meridian, thence north nine miles, thence west three miles, to the line dividing ranges two and three west, thence north eleven miles to the corners of sections nineteen and thirty, thence east with said line twenty four miles to the line dividing ranges two and three east, thence south to the place of beginning shall constitute and form a new county, and be designated and known by the name and style of the county of Morgan.

Name,

Commissioners appointed,

Their duty,

Privileges and jurisdiction,

SEC. 2. That James Borland of Monroe county, Thomas Brazley of Lawrence county, Philip Hart of Owen county, John Martin of Washington county, and James Milroy of Washington county, be and they are hereby appointed Commissioners, for the purpose of fixing the permanent seat of Justice, for said new county agreeably to the provisions of an act entitled "an act for fixing seats of Justice in all new counties hereafter to be laid off." The Commissioners above named or a majority of them, shall convene at the house of John Gray, in said new county, on the first day of March next, and then proceed to discharge the duties assigned them by law.

SEC. 3. That the said new county of Morgan shall enjoy the rights privileges and jurisdiction which to a separate county do or may properly belong.

SEC. 4. It shall be the duty of the sheriff of Monroe county, to notify the Commissioners above named, either in person or by written notification of their said appointment, and the Commissioners of the county of Morgan shall allow him any sum of money, that they may deem just and equitable, who are hereby authorized to allow the same out of any monies in the county Treasury, in the same manner other claims are paid.

SEC. 5. The Circuit and other Courts of the county of Morgan, shall be holden at the house of Jacob Cutler, or at any other place, the courts may adjourn to, in said county, until suitable accommodation can be had at the county seat, and so soon as the courts of said county are satisfied that suitable accommodations can be had at the seat of Justice, they shall adjourn their courts to such place in said county as shall be fixed on by said Commissioners for the seat of Justice of said county established as directed by this act.

SEC. 6. The agent who shall be appointed to superintend the sale of lots at the county seat of the county of Morgan shall reserve ten per cent. out of the proceeds thereof, and also of all donations to said county; and pay the same over to such person or persons as may be appointed by law to receive the same for the use of a library for said county, which he shall pay over at such time or times as may be directed by law.

Sheriff of Monroe co. to notify commissioners,

His compensation,

Courts when holden,

Ten per cent. reserved,

This act to take effect and be in force, from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved December 31st. 1821.

JONATHAN JENNINGS.

CHAPTER XXV.

AN ACT to amend the several acts for opening and repairing roads and highways.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That hereafter whenever any petition to vacate or establish any public road or highway signed by twelve freeholders, shall be presented to the Board of county Commissioners by virtue of an act, entitled "an act for opening and repairing public roads and highways Approved January 29th 1818," the said Board of county Commissioners shall have discretionary power to act or not act upon such petition under the provisions of the act aforesaid.

Who shall be liable to work on the roads, and the number of days they shall work,
SEC. 2. That each and every able bodied male person between the ages of eighteen and fifty years, not being the owner of any real property by a legal or equitable title nor the lessee of any tenement for a term exceeding one year, and having resided in any township in this state sixty days, shall be subject to work on public

roads and highways two days in each year: every male person over the age of eighteen years, being the lessee of any tenement for any term exceeding one year, or the owner of any quantity of land less than forty acres either by bond, or deed, shall be subject to work on public roads and highways, three days in each year; every person being the owner of land in the county where he resides, equal to one quarter section and not less than forty acres either by deed bond or certificate shall be subject to work on public roads and highways four days in each year; every person owning any quantity of land over one quarter section and not more than two in the county in which he resides, either by bond, deed, or certificate, shall be subject to work on public roads and highways six days in each year; every person owning not less than two, nor more than three quarter sections of land in the county, where he resides, by either of the titles last aforesaid, shall be subject to work on public roads and highways, eight days in each year; every person owning by a legal or equitable title not less than three, nor more than four quarter sections of land in the county where he resides, shall be subject to work on public roads and highways, ten days in each year; and every person owning more than four quarter sections of land in the county where he resides, shall have one day added to his quantum of labour, for every quarter section over that number.

Duty of supervisors,

Sec. 3. It shall be the duty of supervisors respectively to call out all persons liable to work on public roads and highways, when in their opinion it may be expedient and on first calling on the same, each supervisor shall give them notice of the whole number of days they are required to work by this act, and if the supervisor shall not know what number of days to apportion to any individual he is hereby authorized to administer an oath to such individual for the purpose of ascertaining the quantity of land which he may own in the county in which he resides, in order to make such apportionment.

Persons neglecting to work, how proceeded with,

Sec. 4. If any person liable to work on public roads and highways, having had three days notice, according to the provisions of the tenth section of the act mentioned in the first section of this act, and neglecting to appear, or after having appeared, shall fail to perform his days' work he shall be proceeded with as is provided in the twenty first section of said act.

Further duty of supervisor,

Sec. 5. Each supervisor shall, annually furnish the Clerk of the Commissioners of his county, with a list of the lands in his district, owned by persons not residing in the county in which such district is situated, on or before the first Monday in May, annually; and the county Commissioners of the respective counties shall annually, when they assess the state and county taxes on land, in a separate column of the rate bill, assess a road tax on all such lands of non-residents in the county, which shall

Co. com's. to assess a road tax,

not exceed the amount paid by residents as a road tax, to be collected as other taxes are, and applied to the use of roads in the district at the discretion of the Board of county Commissioners.

Sec. 6. Whenever any public road or highway shall run through or border on any plantation or land adjoining thereto, belonging to the owner of the same, which shall become obstructed by the falling of trees, or otherwise, within or adjoining to the boundaries of such plantation or lands owned by such person adjoining thereto, it shall be the duty of the owner of such plantation to remove such obstruction, so soon as the same shall come to his knowledge, for which the supervisor of such road shall make him a reasonable allowance, and give him a credit therefor, on the number of days he may be liable by law to work on roads and highways.

Duty of person owning land adjoining to remove obstruction,

His allowance therefor,

Sec. 7. Whenever it shall be necessary to establish a road leading from the county seat of one county to any place in another county, the county Commissioners of each county in which such road is proposed to run, shall, if they deem the same expedient, on application of twenty freeholders, therein resident, appoint three persons as viewers, who, or a majority of them, shall after being duly sworn proceed according to the provisions of the act entitled "an act for opening and repairing public roads and highways" and shall make returns of their proceeding within six months from the date of their appointment.

On application county com's. to appoint viewers,

Proviso,

ment; and such road when established, shall not be altered except by viewers appointed as is required in this section: *Provided* that, before viewers shall be appointed as above, it shall be made appear to the county Commissioners, that three written notices of such intended application have been put up in public places in such county, sixty days previous to such application.

Repeal,

SEC. 8. The first, second, third, and seventh sections of the act, supplemental to an act, for opening and repairing public roads and highways, approved 31st of December 1818, and so much of any other act as comes within the perview of this act, be, and the same are hereby repealed.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER XXVI.

AN ACT authorising the Guardians of the infant heirs of Henry Heckey deceased to lay out certain monies.

Guardians
to lay out
200 dolls. in
real estate,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That James Maxwell or John G. Berry guardians of the infant heirs of Henry Heckey deceased are hereby authorized to lay out two hundred dollars or so much thereof in real estate as they may think most to the interest of said heirs.

SEC. 2. *Be it further enacted,* That when such money is so laid out it shall be for the exclusive benefit of said heirs and all patents deeds &c. shall be in the name of the heirs for whose benefit this act is intended.

Patents,
deeds, &c.
to be in the
name of the
heirs,

SEC. 3. This act to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved January 3d, 1822.

JONATHAN JENNINGS.

CHAPTER XXVII.

AN ACT for dividing this State into Congressional Districts for the election of members to the Congress of the United States.

SEC. 1. *Be it enacted by the general assembly of the state of Indiana,* That the county of Orange Spencer Warrick Vanderburgh Posey Gibson Pike Dubois Knox Davies Martin Sullivan Vigo Park Monroe Lawrence Wabash Green Owen Morgan and Putnam shall compose one Congressional District and shall be know and designated as the first Congressional District for the state of Indiana and shall be entitled to one representative in the Congress of the United States.

Counties
composing
first Con-
gressional
district,

SEC. 2. The counties of Jefferson Clark Jackson Washington Harrison Crawford

2d Congres-
sional dis-
trict,

Lloyd Scott Bartholomew Jennings Marion and so much of the county of Delaware as lies west of a line dividing ranges seven and eight east of the second principal meridian shall compose one Congressional District & shall be known & designated as the second Congressional District of the state of Indiana, and shall be entitled to one Representative in the Congress of the United States.

3d Congress-
sional dis-
trict,

SEC. 3. That the counties of Randolph Wayne Franklin Fayette Dearborne Union Switzerland Ripley and so much of Delaware county as lies east of a line dividing ranges seven and eight east of the second principal meridian shall compose one Congressional District and shall be known and designated as the third Congressional District of the state of Indiana and shall be entitled to one Representative in the Congress of the United States.

The election
of members
of the 18th
Congress
when hold-
en,

A 4th dis-
trict form
provisional-
ly,

SEC. 4. The first election for the first session of the eighteenth Congress shall be holden on the first Monday of August next.

SEC. 5. And be it enacted That if the Congress in their apportionment shall give to the state of Indiana four members of Congress then the fourth Congressional District of this state shall consist of that tract of country in this state commonly called the New Purchase and to which the elective franchise has not been extended for the purpose of electing members to re-

present them in either House of the General Assembly.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved January 3d, 1822.

JONATHAN JENNINGS.

CHAPTER XXVIII.

AN ACT to continue in force an act entitled "an act supplemental to an act locating certain roads therein named and for other purposes," approved January 9th, 1821.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the above recited act be and the same is hereby continued in force for one year from and after the taking effect of this act.

Act referred
to continued
in force for
one year,

SEC. 2. Peter Kintner of Harrison county is hereby appointed one of the Commissioners to act with those heretofore appointed to locate and mark a road from New-Albany in Floyd county to Corydon in Harrison county, thence to the seat of Justice of Crawford county and thence to Princeton in Gibson county, the report of any three of which said Commissioners may be received and acted upon in the manner prescribed in the above recited act; the Commissioners aforesaid shall receive one dollar each per day out of their respective county Treasuries for each and every day they may be necessarily employed in the business aforesaid, and upon the

P. Kintner
appointed
to act with
for com's.

Report of
three com's.
may be re-
ceived,

Their com-
pensation,

report of the said Commissioners or any three of them being made according to law the said road shall thereupon and thereafter be established as a public road.

This act to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved January 2d, 1822.

JONATHAN JENNINGS.

CHAPTER XXIX.

AN ACT relating to the navigation of the river
Wabash.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the Governor of the state be and he is hereby requested, to invite the Governor of the state of Illinois to a correspondence on the practicability and of the expediency to the two states of improving the navigation of the Wabash river at the place commonly called the grand rapids.

SEC. 2. That the Governor of this state be and he is hereby also authorized whenever he may be satisfied that a similar measure will be adopted by the state of Illinois to appoint one or more Commissioners on the part of this state to act with the Commissioners appointed on the part of the state of Illinois.

SEC. 3. It shall be the duty of the said

Gov. re-
quested to
correspond
with the
Gov. of Ill.

Authorized
to appoint
same, to act
with such
as may be
appointed
by the state
of Ill.

Duty of
said

Commissioners as acting together to meet at or near the grand rapids aforesaid at the time agreed upon and in pursuance of notice to them given by the Governors of said states, and they or a majority of them shall personally examine the same as also shall in like manner examine the minor rapids shoals ripples and obstructions in the said river both above and below the said grand rapids for the distance of fifteen miles and after being fully informed by their own observation and otherwise whether it is practicable and advisable and to what extent to improve the navigation of said place and if improved what will probably be the necessary expense they or a majority of them shall in a reasonable time thereafter make out duplicate reports thereon one of which shall be transmitted to the Governor of Illinois and the other to the Governor of this state.

SEC. 4. That the Governor of this state is requested when the said report shall be received by him to transmit the said report and the correspondence between the two Executives on the same subject to the General Assembly of this state at their next meeting thereafter.

SEC. 5. *And be it further enacted,* That the Commissioners to be appointed by the Governor of this state for their services herein and hereby required of them shall receive a reasonable allowance for their trouble and services in attending to the said business and they are hereby required to make out their accounts under their

Their re-
port when
made to be
submitted
to the legis-
lature,

Their com-
pensation,

hands and seals to be transmitted and presented together with said report.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved January 2d, 1842.

JONATHAN JENNINGS.

CHAPTER XXX.

AN ACT to authorize the issuing a writ of Quo Warranto against the Bank of Vincennes the State Bank of Indiana and for other purposes.

Preamble,

WHEREAS it is represented to the present General Assembly that the Bank of Vincennes the state Bank of Indiana has violated the provisions of the several acts incorporating the said Bank, and whereas, by an illegal and improper disposition of the debts due the said Bank, not only "The state of Indiana" but counties and individuals, are in danger of heavy and increased losses from the said corporation, unless some speedy and effectual measures are taken to prevent the same, Therefore,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana*, That the Governor of the said state be authorized and he is hereby required to employ some suitable person on behalf of, and in the name of the state of Indiana to institute in the Knox circuit court, and prosecute to final judgment and execution, a suit against the Bank of Vincennes the State

Gov. authorised to appoint an agent to institute in the Knox C. court a suit against the Bank of Vincennes,

Bank of Indiana, by writ of Quo Warranto or such other process in law as shall in the opinion of the said Agent be best calculated to determine whether the said Bank has violated any of the several Legislative acts of Incorporation, and particularly, whether the said corporation has violated any of the provisions of an act of the late Territorial Government of the Territory of Indiana entitled "an act to incorporate the President Directors and Company of the Bank of Vincennes" approved 10th September 1814, and also whether the said Corporation has violated any of the provisions of an act of the General Assembly of the state of Indiana entitled "an act adopting the Bank of Vincennes as the state Bank of Indiana and for other purposes" approved January 1st 1817, also whether the said Bank has in any manner whatever violated the constitution and laws of the United States or of this state.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Knox Circuit Court to hear and determine the said cause, final judgment give, and execution award according to the course of the common law, and the usage of courts not inconsistent with the laws and constitution of this state, and the sheriff and clerk of the county of Knox shall be subject to such duties rules and regulations as in other cases, not otherwise provided for in this act, *provided* however, that the said cause shall have precedence as to the time of trial in the

Duty of said court,

Duty of sheriff and clerk,

Precedence as to time of trial in the

Further
previse as
to qualifi-
cation ju-
rors,

Further du-
ty of sher-
iff,

Gov. to ap-
point three
coms.

Their duty,

said court, and provided also that no per-
son interested either as a stockholder,
creditor or debtor of the said Bank shall
be deemed and taken as a qualified Juror
on the trial of the said cause.

SEC. 3. *And be it further enacted*, That if judg-
ment of seizure be given by the said court
and the execution shall come to the hands
of the sheriff of the said county of Knox,
he shall forthwith seize upon all and sin-
gular the franchises, rights credits and ef-
fects of the said Corporation both real and
personal, and all and singular the eviden-
ces of debt which may in any wise apper-
tain to the said Bank, and the same shall
keep until commissioners shall be appoint-
ed for and on behalf of the state of Indiana
to receive the same, and of his writ he shall
make due return.

SEC. 4. *Be it further enacted*, That if
judgment shall be given against the said
Corporation in favour of the state, it shall
be the duty of the Governor forthwith to
appoint three commissioners one of whom
shall have been a stockholder in the said
Bank, whose duty it shall be after taking
an oath faithfully to discharge the duty of
commissioners for the said state, to pro-
ceed forth with to take possession of all
the effects of the said Bank and shall pro-
ceed to collect the sum in such manner and
at such times as they or a majority of them
shall think proper, which majority shall
always form a quorum for business, and
may renew the claims in favor of the said
Corporation, by taking to themselves as

commissioners such evidences of the said
debt and such security as they shall think
most for the interest of all persons concern-
ed, and the said commissioners shall give
Bond and security to the satisfaction of the
Governor for the time being for the faith-
ful performance of their duties as such
commissioners, and shall make a report to
the next General Assembly of their pro-
ceedings at length.

SEC. 5. *Be it further enacted*, That the
said commissioners shall have power to
collect and settle all debts and claims of
the said Bank in the same manner as the
said Directors of the Corporation might
have done, and they shall hold their ap-
pointment until the next session of the
General Assembly, and until others shall be
appointed.

SEC. 6. *Be it further enacted*, That it shall
be the duty of all persons who may have
held offices in the said Bank if required by
the said commissioners, to give upon oath
or affirmation all necessary information
touching the debts rights and credits of the
said Corporation.

SEC. 7. *Be it further enacted*, That the
said commissioners shall receive not ex-
ceeding two dollars for every day necessa-
rily spent in the settlement of the affairs of
the said Bank to be paid, together with all
other expenses, out of the effects of the
said Corporation, and all the cost and ex-
penses of the said suit shall be paid out of
the effects of the said Corporation should
the same be seized to the said state.

Shall give
bond and se-
curity,

Shall report
to the next
G. Assem-
bly,

Further
power of
coms.

Duty of
those who
have held
offices in
said bank,

Compensa-
tion of com-
missioners,

Costs how
paid,

This act to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st, 1821,

JONATHAN JENNINGS.

CHAPTER XXXI.

AN ACT for the formation of a new county north of Bartholomew county.

Boundaries,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* that from and after the first day of April next, all that part of Delaware county contained in the following bound shall form a separate county viz: Beginning at the south east corner of section thirty-three in township eleven north of range eight east of the second principal meridian; thence north twenty-four miles, to the north-east corner of section four in township fourteen north of range eight east; thence west seventeen miles to the north-west corner of section two in township fourteen north of range five east; thence south twenty-four miles to the north boundary of Bartholomew county; thence east seventeen miles to the place of beginning.

Name and jurisdiction,

SEC. 2. The said new county shall be known and designated by the name of Shelby county, and shall enjoy all the

rights, privileges and jurisdictions, which to separate and independent counties do, or may properly appertain or belong.

SEC. 3. That Benjamin J. Blythe of Dearbourn county, Amos Boardman of Rip-ly county, George Bentley of Harrison county, Joshua Cobb of Delaware county and Ebenezer Ward of Bartholomew county, are hereby appointed commissioners agreeably to an act, entitled "an act for the fixing seats of Justice in all new counties hereafter to be laid off." The commissioners above named, shall convene at the house of David Fisher in the county of Shelby on the first Monday in July next and shall immediately proceed to discharge the duties assigned them by law. It is hereby made the duty of the sheriff of Bartholomew county, to notify the said commissioners, either in person or by written notification, of their appointment, on or before the first day of June next; and the said sheriff of Bartholomew county, shall receive from the said county of Shelby so much as the county commissioners shall deem just and reasonable, who are hereby authorized to allow the same out of any monies in the county Treasury, in the same manner as other claims are paid.

When and where to meet;

Sheriff of Bartholomew county to notify, his compensation,

Courts when to be holden,

SEC. 4. The Circuit and all other courts of the county of Shelby shall meet and be holden at the house of David Fisher in the said county of Shelby, until suitable accommodations can be had at the seat of Justice; and so soon as the courts of said county are satisfied that suitable accom-

Proviso,

modations can be had at the county seat, they shall adjourn their courts thereto, after which time the courts for the county of Shelby shall be holden at the county seat of Shelby county. *Provided* however, that the circuit court shall have authority to remove the courts from the house of David Fisher to any other place in said county previous to the Public buildings being completed, should the circuit court see proper.

Ten per cent. reserved for use of library,

Sec. 5. The Agent who shall be appointed to superintend the sales of lots of the county seat of the county of Shelby, shall reserve ten per cent. out of the proceeds thereof, also ten per cent. out of the proceeds of all donations made to the county, and pay the same over to such person or persons, as may be appointed by law to receive the same, for the use of a county library, for the said county of Shelby; which he shall pay over at such time or times and place as may be directed by law.

Public buildings, when to be erected,

Sec. 6. The board of county commissioners of the said county of Shelby, shall within twelve months after the permanent seat of Justice shall have been selected proceed to erect the necessary public buildings therein.

County library,

Sec. 7. The same powers, privileges and authorities, that are granted to the qualified voters of the county of Dubois and others named in the act, entitled "an act incorporating a county library, in the counties therein named, approved January 20th 1818 to organize, conduct and support a

Powers, &c. of voters defined,

county library," are hereby granted to the qualified voters of the county of Shelby; and the same power and authority therein granted to, and the same duties therein required of, the several officers and the person or persons elected by the qualified voters of Dubois county and other counties in the said act named, for the carrying into effect the provisions of the act entitled an act incorporating a county library in the county of Dubois and other counties therein named, according to the true intent and meaning thereof, are hereby extended to and required of the officers and other persons elected by the qualified voters of the county of Shelby.

Duty of officers prescribed,

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st. 1821.

JONATHAN JENNINGS.

CHAPTER XXXII.

AN ACT amending and confirming an act entitled "an act regulating the fees of the several officers and persons therein named, approved January twenty first eighteen hundred and eighteen.

WHEREAS doubts have, and do exist whether the above recited act is of binding force on account of its not having an enacting clause thereunto affixed, for remedy whereof:

Preamble,

Recited act
confirmed,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the above recited act shall be, and the same is hereby declared to be a law and shall be taken and deemed as valid as if an enacting clause had been originally thereto prefixed.

Constable
not to
charge fees
for mileage
out of town-
ship,

SEC. 2. That from and after the taking effect of this act it shall not be lawful for any constable to charge, ask for, or demand any fee or allowance for travelling or mileage for the serving of any civil process out of the township in which such constable shall or may reside.

Clerks of
C. courts
excused,
except in
certain ca-
ses, from
making
complete
records.

SEC. 3. That hereafter it shall not be the duty of the several clerks of the circuit courts to make out a complete record of any judgment or proceedings in the said circuit courts except in suits in Chancery and actions at law, where the title to land or a last will and testament shall come in question, or where an appeal or writ of error shall be taken from such court to the Supreme court, or where either party shall require it, in which case it shall be done at the expense of the party so requiring such complete record to be made out, any law custom or usage to the contrary notwithstanding.

No allow-
ance to be
made to
to cl'ks. &
shiffs. for
extra ser-
vices;

SEC. 4. That the allowance now made by law to the clerks and sheriffs of the several counties for extra services shall be taken and deemed as a full compensation to those officers for all services to which

No specific fees or shall be given by law.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate

Approved January 3d. 1822.

JONATHAN JENNINGS.

CHAPTER XXXIII.

AN ACT for the formation of a new county north of Jennings county.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That from and after the first Monday of March next, all that part of Delaware county contained in the following bounds, shall form a separate county, viz: beginning at the south-west corner of section eighteen in township eight north of range eight east of the second principal meridian, thence north fifteen miles to the south-west corner of section six, in township ten north of range eight east, thence east three miles to the south-east corner of section thirty-three in township eleven north of range eight east, thence north seven miles to the north-west corner of section thirty-four in township twelve north of range eight east, thence east eighteen miles to the west boundary of Franklin county, thence south with said boundary to the north line of Ripley county, thence with the old bound-

Boundaries
thereof.

dary line to the north line of Jennings county, thence west with the Jennings county line to the place of beginning.

Name and jurisdiction.

Sec. 2. The said new county shall be known and designated by the name of Decatur county, and shall enjoy all the rights privileges and jurisdictions, which to separate and independent counties do or may properly appertain or belong.

Commissioners appointed.

Sec. 3. That George B. Webster of Ripley county, Abraham B. Dumout of Switzerland county Henry Restue of Jefferson county John Brown of Lawrence county and Edward Ballenger of Bartholomew county, are hereby appointed Commissioners agreeably to an act entitled an act for fixing seats of Justice in all new counties hereafter to be laid off. The Commissioners above named shall convene at the house of Thomas Hendricks in the said county of Decatur, on the first Monday of May next and shall immediately proceed to the discharge of the duties assigned them by law. It is hereby made the duty of the sheriff of Jennings county to notify the said Commissioners either in person or by written notification of their appointment on or before the first Monday of April next and the said sheriff of Jennings county shall receive from the said county of Decatur so much as the Commissioners shall deem just and reasonable, who are hereby authorized to allow the same out of any monies in the county Treasury in the same manner as other claims are paid.

When and where to meet.

Sheriff of Jennings county to notify them.

His compensation.

Sec. 4. The circuit and other courts of the county of Decatur shall meet and be holden at the house of Thomas Hendricks in the said county of Decatur until suitable accommodations can be had at the seat of Justice and so soon as the courts of said county are satisfied that suitable accommodations can be had at the county seat they shall adjourn their courts thereto after which time the courts for the county of Decatur shall be holden at the county seat of Decatur county: *Provided* however that the circuit court shall have authority to remove the courts from the house of Thomas Hendricks to any other place previous to the public buildings being completed should the circuit court see proper.

Courts, where to be holden.

Proviso.

Sec. 5. The Agent who shall be appointed to superintend the sales of lots of the county seat of the county of Decatur shall reserve ten per cent. out of the proceeds thereof. Also ten per cent. out of the proceeds of all donations made to the county, and pay the same over to such person or persons as may be appointed by law to receive the same for the use of a county library for the said county of Decatur, which he shall pay over at such time or times and place as may be directed by law.

Ten per cent. reserved.

Sec. 6. The board of county Commissioners of the said county of Decatur shall within twelve months after the permanent seat of Justice shall have been selected proceed to erect the necessary public buildings therein.

Public buildings, when to be erected.

County li-
brary, pow-
ers of vo-
ters.

Duty of of-
ficers.

SEC. 7. The same power privileges and authorities that are granted to the qualified voters of the county of Dubois and others, named in the act entitled an act incorporating a county library in the counties therein named approved January 28th 1818, to organize conduct and support a county library, are hereby granted to the qualified voters of the county of Decatur; and the same power and authority therein granted to and the same duties therein required of the several officers and person or persons elected by the qualified voters of Dubois county and other counties in the said act named for the carrying into effect the provisions of the act entitled an act incorporating a county library in the county of Dubois and other counties therein named according to the true intent and meaning thereof, are hereby extended to and required of the officers and other persons elected by the qualified voters of the county of Decatur.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate

Approved December 31st, 1821.

JONATHAN JENNINGS:

CHAPTER XXXIV.

AN ACT repealing a Joint Resolution of the General Assembly of the state of Indiana, approved January the 22d 1820.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the Joint Resolution of the General Assembly of the state of Indiana, approved the 22d day of January 1820, authorizing the collectors of state and county taxes to collect, and the state and county treasurers to receive certain Bank notes therein named, in payment of taxes, be and the same is hereby repealed. Repealed.

This act to take effect from and after the first day of February 1822.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER XXXV.

AN ACT for the formation of a new county west of the counties of Franklin and Fayette.

SEC. 1. *Be it enacted by the general assembly of the state of Indiana,* That from and after the first day of April next all that part of the county of Delaware contained within the following bounds, shall form and constitute a new county, viz:

Boundaries
thereof.

Beginning at the south-west corner of section twenty-seven in township twelve north of range eight east of the second principal meridian; thence east eighteen miles to the south-east corner of section twenty-eight in township twelve north of range eleven east; thence north to the line dividing townships fifteen and sixteen; thence west eighteen miles to the north-west corner of section three in township fifteen north of range eight east; thence south to the place of beginning.

Name and
jurisdiction.

SEC. 2. The said new county shall be known and designated by the name and style of the county of Rush, and shall enjoy all the rights, privileges and jurisdictions which to separate and independent counties do or may appertain or belong.

Commissioners.

SEC. 3. Robert Luce of Franklin county, James Delancy of Bartholomew county, Train Caldwell of Fayette county, Samuel Jack of Washington county and Moses Hilkecock of Dearborn county are hereby appointed Commissioners agreeably to the act entitled "an act for fixing seats of justice in all new counties hereafter to be laid off." The said Commissioners shall meet at the house of Stephen Simms in the said county of Rush on the first Monday in June next, and shall immediately proceed to discharge the duties assigned them by law. It is hereby made the duty of the Sheriff of Franklin county to notify said Commissioners either in person or in writing of their appointment on or before the first Monday in May next; for which

When and
where to
meet.

Sheriff of
Franklin
county to
notify them.

he shall be allowed such compensation by the county Commissioners of said county of Rush, as they may deem just and reasonable; to be paid out of the county treasury of said county in the same manner other claims are allowed and paid.

SEC. 4. The circuit courts and all other courts of the county of Rush shall be held at the house of Stephen Simms aforesaid until suitable accommodations can be had at the seat of justice for said county; and so soon as the courts of said county are satisfied that suitable accommodations are provided at the seat of justice of said county, they shall immediately adjourn there-to, after which time all the courts for the said county shall be held at the seat of justice of said county: *Provided* however that the Circuit Court of said county shall have authority to remove from the house of the said Stephen Simms to any other place in said county previous to the completion of the public buildings should they deem the same expedient.

SEC. 5. The Agent who shall be appointed to superintend the sales of lots at the seat of justice of said county and to receive donations for the benefit of said county shall reserve ten per cent. out of the proceeds thereof which he shall pay over to such person or persons as may be authorized by law to receive the same, for the use of a county library for said county; which he shall pay over at such time and manner as shall be provided by law.

his compensation.

Courts,
when and
where to be
holden.

Proviso.

Ten per
cent. reserved.

Public
buildings.
when erect-
ed.

SEC. 6. The County Commissioners of said county of Rush shall within twelve months after the permanent seat of justice for said county shall have been selected, proceed to erect the necessary public buildings therein.

County
library.
powers of
voters.

Sec. 7. The same powers, privileges and authorities that are granted to the qualified voters of the county of Dubois and other counties named in the act entitled "an act incorporating a county library in the county of Dubois and others therein named approved the 28th of January 1818 to organize, conduct and support a county library"—are hereby granted to the qualified voters of the county of Rush; and the same powers and authorities, by the said act, granted to and the same duties therein required of, the several officers elected by the qualified voters of Dubois county and other counties in the said act named for carrying into effect the provisions thereof, according to the true intent and meaning of the same, are hereby granted to and required of, the several officers who may be elected for the purposes aforesaid by the qualified voters of the County of Rush.

Duty of
officers &c.

This act shall be in force from and after the first day of April next.

SAMUEL MILROY, Speaker
of the House of Representatives.
RAULIFF BOON,
President of the Senate.

Approved December 31-1. 1811

JONATHAN JENNINGS.

CHAPTER XXXVI.

AN ACT for the formation of a new county, out of Owen and Vigo counties, and north of Owen.

Sec. 1. *Be it enacted by the General Assembly of the state of Indiana*, That from and after the first Monday of April next, all that part of the county of Vigo and Owen, and of the county north of Owen, contained in the following bounds, shall form and constitute a separate county, to wit, Beginning in the centre of range seven west, on the line dividing townships ten and eleven north, thence east fifteen miles to the line dividing ranges four and five west, thence north twelve miles, to the line dividing townships twelve and thirteen north, thence east three miles, thence north twelve miles to the line dividing townships fourteen and fifteen, thence west fifteen miles to the line dividing ranges six and seven west, thence south six miles, thence west three miles, thence south eighteen miles to the beginning.

Boundaries

Sec. 2. The said new county, shall be known and designated by the name of Putnam, and shall enjoy all the rights and privileges and jurisdictions which to separate and independent counties, do or may properly appertain or belong.

Name and
jurisdiction,

Sec. 3. John Bartholomew of Owen county, Aaron Redus of Washington county, Jonathan Wells of Sullivan county, John Allen of Daviess county, and Peter Allen of Vigo county, are hereby appointed Commissioners agreeably to the act en-

Commis-
sioners ap-
pointed,

titled, "an act for the fixing of the seats of Justice in all new counties hereafter to be laid off." The Commissioners above named shall convene at the house of James Athey, in the said county of Putnam, on the first Monday in May next, and shall immediately proceed to discharge the duties assigned to them by law. It is hereby made the duty of the sheriff of Owen county, to notify the said Commissioners, either in person, or by written notification of their appointment on or before the fifteenth of April next, and the said sheriff of Owen county, shall receive from the said county of Putnam, so much as the county Commissioners shall deem just and reasonable, who are hereby authorised to allow the same out of any monies in the county treasury, in the same manner other allowances are paid.

SEC. 4. That the Circuit Court of the county of Putnam shall meet and be holden, at the house of James Athey, in the said county of Putnam, until suitable accommodations can be had at the seat of Justice, and so soon as the courts of said county are satisfied, that suitable accommodations can be had, at the county seat, they shall adjourn their Courts thereto, after which time, the Courts of the county of Putnam, shall be holden at the county seat of Putnam county established as the law directs. *Provided* however that the Circuit Court shall have authority to remove the Court from the house of James Athey, to any other place, previous to the comple-

When and where to meet,

Sheriff of Owen Co. to notify them,

His compensation,

Courts when to be holden,

Proviso,

tion of the public buildings, should the said Court deem it expedient.

SEC. 5. That the Agent who shall be appointed to superintend the sales of lots at the county seat of the county of Putnam, shall reserve ten per centum out of the proceeds thereof, and also ten per centum out of the proceeds of all donations made to the county, and pay the same over to such person or persons, as may be appointed by law to receive the same, for the use of a county Library for the said county of Putnam, which he shall pay over at such time or times and place, as may be directed by law.

SEC. 6. The board of County Commissioners of the said county of Putnam, shall within twelve months after the permanent seat of Justice, shall have been selected proceed to erect the necessary public buildings thereon.

SEC. 7. *And be it further enacted,* That such parts of the county of Putnam, as previous to the passage of this act, belonged to the county of Vigo, and Owen, shall be considered as attached respectively to the counties from which they were taken, for the purpose of electing a Representative and Senator to the General Assembly of this state.

SEC. 8. That the powers, privileges and authorities, that are granted to the qualified voters of the county of Dubois, and others named in the act entitled "an act incorporating a county Library in the counties therein named, approved Janua-

Ten per cent reserved,

Public buildings, when to be erected,

Shall form a part of the Senatorial and Representative district.

County library powers of voters,

Duty of officers,

ry the twenty eighth, one thousand eight hundred and eighteen," to organize, conduct, and support, a county Library, are hereby granted to the qualified voters of the county of Putnam, and the same power and authority therein granted to, and the same duties therein required of the several officers, and the person or persons elected by the qualified voters of Dubois county, and other counties in the said act named, for carrying into effect the provisions of the act entitled "an act to incorporate a county Library in the county of Dubois, and other counties therein named," according to the true intent and meaning thereof, are hereby extended to, and required of the officers, and other persons elected by the qualified voters of the county of Putnam.

This act to take effect, and be in force, from and after its passage.

SAMUEL MILROY. Speaker
of the House of Representatives.
RATLIFF BOON.
President of the Senate.

Approved December 31st. 1821.

JONATHAN JENNINGS.

CHAPTER XXVII.

AN ACT to provide for the distribution of the Laws and Journals of the present General Assembly.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the Sec-

retary of state, Treasurer and Auditor or any two of them, be, and they are hereby authorized to employ Samuel Littell to distribute the laws and journals of the present General Assembly, taking bond with approved security for the faithful delivery of said laws and journals to the Clerks of the different counties as herein after provided, and the said Littell shall be allowed a quietus for the amount of the claim of the state against him as the security of John Hurst late sheriff of Harrison county, on producing to the Auditor the receipts of the Clerks of the different counties, for the number of laws and journals that each county may be entitled to receive. The counties of Wayne, Franklin, Dearborn, Jefferson, Clark, Harrison, Washington, Orange, and Knox, shall be entitled to receive forty-five copies of the acts of Assembly; and the counties of Fayette, Union, Switzerland, Jackson, Lawrence, Monroe, Sullivan, Vigo, Gibson and Posey shall receive forty copies each; and the counties of Randolph, Ripley, Jennings, Scott, Floyd, Bartholomew, Crawford, Dubois, Martin, Park, Owen, Green, Pike, Davis, Vandeburgh, Warrick, Spencer, Perry, Morgan, Marion, Shelby, Putnam, Henry, Rush, and Decatur, shall receive thirty five copies each; and each member of the General Assembly shall receive seven copies of the journals, *Provided* that if the said Littell shall fail to comply with the above, some suitable person may be employed as

Saml Littell
to be im-
ployed to
distribute
the laws and
journals,
To give
bond and se-
curity,
His com-
pensation,

Number al-
lotted to
each county,

No. of jour-
nals allotted
to each
member,
Provided,

heretofore to distribute the laws and journals.

Sec. 2. The Governor, Lieutenant Governor, Secretary of state, Auditor, and Treasurer, each member of the General Assembly, and each and every Judge, Justice of the peace, Clerk of the several Courts, Recorder, County Commissioner, Sheriff, and Coroner, shall be entitled to receive one copy of the acts of the present General Assembly, upon application to the Clerk of their respective counties.

Sec. 3. That the Public Printer, be, and he is hereby instructed to print two thousand copies of the acts of the present General Assembly.

Sec. 4. The Secretary of state is hereby required to deliver to the person appointed to distribute the laws and journals of the present session of the General Assembly three copies of the revised code of 1818 three copies of the acts of 1819 and three copies of the acts of 1820 for each of the following counties, to wit, Decatur, Green, Rush, Henry, Shelby, Marion, Morgan, and Putnam, which said copies shall be delivered to the Clerks of said new counties at the same time the laws of the present session are delivered; *provided* however, that if a Clerk shall not be duly elected and qualified into office in any of the said new counties the person distributing, may deliver the laws to the sheriff and take his receipt for the same, which shall be a discharge of that part of his obligation.

No. of copies allotted to the officers of government.

Public printer directed to print 2000 copies of the acts,

The revised code, the acts of 1819 & 20 to be distributed to the clerks of certain counties,

Proviso.

This act to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON.
President of the Senate.

Approved January 3d. 1822.

JONATHAN JENNINGS.

CHAPTER XXXVIII.

AN ACT relative to costs and fee bills in this state.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That from and after the taking effect of this act no officer or other person who now is or hereafter may be entitled to any fees or costs in this state, shall issue fee bills for the collection of such fees or costs any law or usage in this state to the contrary notwithstanding, but that such fees or costs shall be replevied in the same manner as the judgments or decree to which they now are or hereafter may be incident and collected upon execution in the same manner.

SEC. 2. Whenever hereafter any plaintiff or plaintiffs complainant or complainants shall institute any suit at common law or in chancery against any insolvent defendant such party complaining shall be answerable to the respective officers for their lawful fees and costs which may accrue upon such suit whether such com-

Officers entitled to fees shall not issue fee bills for the same

Fees shall be replevied and collected upon execution as judgments are,

Plaintiffs in suits against insolvent debtors shall be accountable for costs.

Def'ts, not
answerable
for costs
when they
succeed.

plaining party shall succeed or not but a
defendant at law or chancery shall never
be answerable for any costs when such de-
fendant shall succeed in his defence.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON.

President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER XXXIX.

AN ACT establishing the office of Attorney General
and providing for the appointment of such
officer.

Preamble.

WHEREAS much inconvenience has
and may hereafter result to this state for
the want of some officer to prosecute caus-
es removed by writ of error from the Cir-
cuit Courts to the Supreme Court for re-
medy whereof:

Att'y. Gen-
eral to be
chosen,

His term of
service,

His duty.

SEC. 1. *Be it enacted by the General As-
sembly of the state of Indiana,* That an At-
torney General for this state shall be chos-
en and elected by a joint ballot of both
Houses of the General Assembly at their
present session who shall continue in of-
fice for and during the time of three years;
and whose special duty it shall be to ad-
vise the Executive Secretary of state Aud-
itor of public accounts and Treasurer of
state upon such point or points of law as
they or either of them may submit to him

touching the duties of their respective of-
fices. He shall attend to and prosecute
all cases civil or criminal which shall come
before the Supreme Court by writ of er-
ror or appeal from any of the inferior
courts wherein the state is a party for aid
on behalf of the state and shall moreover
do and perform all such other duties as
now are or hereafter may be enjoined on
him by law.

SEC. 2. *Be it further enacted,* That the
said Attorney General when so chosen and
elected shall be commissioned by the Gov-
ernor under the seal of state and sworn in-
to office by any one of the Judges of the
Supreme Court and certified on the back
of such commission.

How com-
missioned.

SEC. 3. The said Attorney General
when so qualified shall have and receive
from the defendants in civil and parties
convicted in criminal cases such fees and
perquisites as now are or hereafter may be
allowed and fixed by law in the Supreme
Court; and moreover shall have and re-
ceive the sum of two hundred dollars an-
nually to be paid at the Treasury quarter-
ly and the Auditor of public accounts is
hereby authorized to audit and the Treas-
urer to pay the same out of any monies in
the treasury not otherwise appropriated.

His com-
pensation.

SEC. 4. Should any vacancy happen in
the office of Attorney General either by
death resignation or removal from office
the Supreme Court shall have power to
appoint some suitable and qualified per-
son to fill the same until the next meeting

Vacancy,
how filled.

of the General Assembly and until some one shall be chosen and elected according to the foregoing provisions of this act.

To reside at
the seat of
government

SEC. 5. The Attorney General shall reside and keep his office at the seat of Government.

This act shall take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives

RATLIFF BOON,

President of the Senate

Approved December 31st, 1821.

JONATHAN JENINGS.

CHAPTER XL.

AN ACT to provide for Judicial Circuits and fixing the times of holding courts.

1st judicial
circuit.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the following counties shall constitute the first Judicial Circuit, (viz:) Knox, Sullivan, Vigo, Park, Putnam, Davis, Martin and Orange.

2d circuit.

SEC. 2. The second Judicial Circuit shall consist of the following counties, viz: Jefferson, Clark, Floyd, Harrison, Washington, Jackson, Scott.

3d circuit.

SEC. 3. The third Judicial Circuit shall consist of the following counties to wit, Ripley, Switzerland, Dearborn, Franklin, Union, Fayette, Wayne and Randolph.

SEC. 4. The fourth Judicial Circuit shall consist of the counties of Dubois, Pike, Gibson, Posey, Vendeburgh, Warrick, Spencer, Perry, and Crawford.

4th circuit.

SEC. 5. The fifth Judicial Circuit shall consist of the counties of Lawrence, Monroe, Morgan, Green, Owen, Marion, Henry, Rush, Decatur, Bartholomew, and Shelby, and Jennings.

5th circuit.

SEC. 6. The Circuit Courts to be holden in the first Judicial Circuit shall be held on the days and times following, to wit, in the county of Putnam on the first Mondays in March, June and September yearly, and shall sit three days if business require it; in the county of Parke on the first Thursdays of March, June and September, and shall sit three days if business require it; in the county of Vigo on the second Mondays of March, June and September, and shall sit six days if business require it; in the county of Sullivan on the third Mondays of March, June and September, and shall sit six days if business require it; in the county of Knox on the fourth Mondays of March, June and September, and shall sit twelve days if the business require it; in the county of Davis on the second Mondays of April, July and October, and shall sit six days if the business require it; in the county of Martin on the third Mondays of April, July and October, and shall sit six days if business require it; in the county of Orange on the fourth Mondays of April, July and October, and shall sit six days if the business require it.

Time of holding
courts
in the 1st
circuit.

Time of holding courts in the 2nd circuit,

SEC. 7. The Circuit Courts in the second Judicial Circuit shall be held on the days and times following, to wit, in the county of Harrison on the second Mondays of February and September and the third Monday in May and shall sit twelve days in the terms of February and September and six days at the May term if the business require it; in the county of Washington on the fourth Mondays in February, May and September; in the county of Jackson, on the first Mondays in March, June and October; in the county of Scott on the second Mondays in March, June and October; in the county of Jefferson on the third Mondays in March, June and October; in the county of Clark on the second Mondays of April August and third Monday of November; in the county of Floyd on the Mondays next succeeding the rising of the courts in Clark. And the Circuit courts in the counties of Jefferson and Clark shall sit twelve days at each term if the business therein require it; and in all of the other counties except Harrison county in the said circuit the courts shall sit six days at each term if the business therein require it.

In the 3d circuit,

SEC. 8. The Circuit courts shall hold their sessions in the third Judicial Circuit on the days and times following to wit, in the county of Ripley on the first Monday in February, fourth Monday in May, and first Monday in September, and shall sit six days if the business require it; in the county of Switzerland on the second Monday

day in February, first Monday in June and the second Monday in September, and shall sit six days if business require it; in the county of Dearborn on the third Monday in February, second Monday in June and third Monday in September, and shall sit twelve days if the business require it; in the county of Franklin on the first Monday in March, fourth Monday in June and the first Monday in October, and shall sit twelve days if business require it; in the county of Union on the third Monday in March, second Monday in July and the third Monday in October, and shall sit six days if the business require it; in the county of Fayette on the fourth Monday in March, third Monday in July and the fourth Monday in October, and shall sit six days if business require it; in the county of Wayne on the first Monday in April, fourth Monday in July and first Monday in November and shall sit twelve days if the business require it; in the county of Randolph on the Mondays after the court rises in Wayne, and shall sit six days if the business require it.

SEC. 9. In the fourth Judicial Circuit the circuit courts shall hold their sessions as they now do. 4th circuit.

SEC. 10. The Circuit in the fifth judicial circuit shall hold their sessions as follows to wit, in the county of Lawrence on the first Mondays of March, June and September and shall sit six days if the business require it; in the county of Monroe on the second Mondays of March, June and 5th circuit.

September and shall sit six days if business require it; in the county of Owen on the third Mondays of February, and August and shall sit three days if business require it; in the county of Green on the Thursdays next succeeding the rising of the courts in Owen, and shall sit three days if business require it, in the county of Morgan on the fourth Mondays of March and September and shall sit three days if the business require it; in the county of Marion on the Thursdays succeeding the rising of the courts in Morgan and shall sit three days if the business require it; in the county of Henry on the Mondays next succeeding the rising of the courts in Marion, and shall sit three days if the business require it; in the county of Rush on the Thursdays next succeeding the rising of the courts in Henry and shall sit three days if the business require it; in the county of Decatur, on the Mondays next succeeding the rising of the courts in Rush and shall sit three days if the business require it; in the county of Shelby on the Thursdays next succeeding the rising of the courts in Decatur and shall sit three days if business require it; in the county of Bartholomew on the third Mondays of April, July and October and shall sit six days if the business require it; and the circuit courts in the county of Jennings shall be holden on the Mondays next succeeding the courts in the county of Bartholomew, and shall sit six days at each term if the business re-

Jennings
Co. attach-
to the 5th
Circuit

quire it; and the county of Jennings is hereby attached to the fifth circuit.

SEC. 11. All pleas, complaints, process & proceedings of the courts now pending or which may hereafter issue, or be had in any of the courts aforesaid shall be returned at the time herein provided for their sitting, any thing in any statute law or custom to the contrary notwithstanding.

SEC. 12. The Supreme Courts shall be holden on the first Mondays of May and November.

SEC. 13. The Public Printer is hereby required to print one hundred and fifty copies of this law for the use of the several counties in this state.

This law to be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,

President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

Return of
process

Time of hold-
ing su-
preme court

Pub. prin-
ter to print
150 copies
of this law

CHAPTER XLI.

AN ACT attaching part of Wabash county to Owen county and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That all that part of the county of Wabash contained in the following boundaries to wit, Beginning on the range line dividing ranges four and

Boundaries,

Five west of the second principal meridian line at the centre of township twelve north thence east to the centre of range two west thence south to the west branch of White river thence down said river with the meanders of the same to Owen county where the line dividing ranges two and three west crosses said river.

The part of Monroe Co. west of White river attached to Owen Co. Suits &c. how conducted.

Part of the New Purchase attached to Monroe Co.

Sec. 2. All that part of Monroe county lying west of White river be and the same is hereby attached to Owen county and that all suits pleas complaints actions and prosecutions whatsoever shall be conducted in the same manner as if no change had taken place.

Sec. 3. So much of the new purchase as is contained in the following boundary to wit. Beginning on White river where the township line dividing ten and eleven north crosses the same thence east with said line to the corners of section four and five in township ten range two east of the second principal meridian thence south to Monroe county line shall form and constitute a part of Monroe county.

This act shall take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st. 1821.

JONATHAN JENNINGS

CHAPTER XLII.

AN ACT to dissolve the banns of Matrimony between Lyman Beeman and Sally Malott.

Sec. 1. *Be it enacted by the General Assembly of the state of Indiana.* That the banns of matrimony heretofore entered into between Lyman Beeman and Sally his wife late Sally Malott be and the same are hereby dissolved.

Banns of matrimony dissolved.

This act shall take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st. 1821.

JONATHAN JENNINGS.

CHAPTER XLIII.

AN ACT supplemental to an act entitled an act subjecting real and personal estate to execution.

Sec. 1. *Be it enacted by the General Assembly of the state of Indiana,* That nothing in the act to which this is a supplement shall be so construed as to extend the benefit of the stay of execution to the securities or securities on replevy bonds.

No stay of execution on replevy bonds

Sec. 2. That on all bonds taken by the constable by virtue of an execution for the delivery of property there shall be no stay of execution.

No stay on bonds for the delivery of property.

Sec. 3. That when it appears by the

When the rents of real estate for 7 years, will not sell for amount of debt &c. fee simple shall be sold.

Judgments replevied from their dates.

5 free-holders only necessary for a inquest on real property.

return of any execution which may have heretofore issued and been returned or which may hereafter issue and be returned that the rents and profits of any real estate for seven years have been offered for sale by the officer according to the provisions of the existing laws of this state and that the same would not sell for the amount of the debt interest and costs it shall be the duty of the clerk to issue a venditione expositas commanding the sale of the fee simple of such real estate and the same shall be sold according to the existing laws of this state.

SEC. 4. That in all cases hereafter when any judgment or execution debtor shall offer to replevy the same of record or shall tender to the sheriff constable or proper officer his her or their replevin bond that such replevin shall be allowed and have operation in all cases from the date of the judgment so replevied conformably to the act aforesaid and not from the time or date of said replevin bond, any law or custom to the contrary notwithstanding.

SEC. 5. It shall not be necessary hereafter to summon more than five freeholders to enquire whether real property will rent in seven years for a sum sufficient to pay the debt interest and costs and to assess the value of property.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON, President of the Senate.

Approved January 3d, 1822.

JONATHAN JENNINGS.

CHAPTER XLIV.

AN ACT to amend the "act reducing into one all the acts and parts of acts now in force in this state regulating proceedings in actions at law and suits in chancery.

SEC. 1. *Be it enacted by the general assembly of the state of Indiana,* That in future the provisions contained in the 42nd section of the above recited act, making the limitation of actions apply to all classes of persons indiscriminately, shall be, and the same is hereby restricted in its operation and effect as to infants, feme coverts, idiots, lunatics, madmen, and persons without the jurisdiction of this state; and that the same shall not attach to this description of persons until after their respective disabilities may and shall be removed.

SEC. 2. No plea or other pleadings denying the assignment of any instrument or instruments in writing, set forth in any declaration or other pleadings, in any cause now or hereafter pending in any court in this state, shall be received by such court, unless the party making such plea or other pleading, shall make oath that he, she or they, has or have reason to believe, and does or do verily believe, that the assignment or assignments so denied, was, or were, not made previously to the commencement of such cause, or that said assignment or assignments, was or were obtained by fraud.

The provisions of the 42 Sec. of amended act restricted, as to infants &c.

Pleas, denying assignments not admitted unless supported by oath.

Pleas of general issue shall not compel plaintiffs to prove assignments unless supported by oath.

Appeals from Circuit to Supreme court shall be filed within sixty days.

Clerks of the C. court to certify the time of rendition of judgment.

Appellants failing to file appeals, clerks of C. court, shall issue executions.

SEC. 3. No plea of the general issue, which may be or have been pleaded in any cause, shall hereafter compel the plaintiff or plaintiffs, to prove the execution of any assignment or assignments which has or have been, or may be set forth in any declaration, unless the party making such plea, shall also make oath, that he, she or they has, or have reason to believe and does or do verily believe, that such assignment or assignments was or were not made before the commencement of such cause, or that such assignment or assignments was or were obtained by fraud.

SEC. 4. That when any appeal shall be prayed and granted by any Circuit Court in this state from any judgment rendered by said court, it shall be the duty of the party so obtaining an appeal, to file in the clerk's office of the Supreme Court the record of the judgment and proceedings so appealed from, within sixty days next after the rendition of said judgment, and it shall be, and is hereby made the duty of the clerk in the court below to certify the day and year of the rendition of the judgment at the foot of the exemplification.

SEC. 5. That it shall be the duty of the clerk of the Supreme Court whenever any appellant shall fail to file his appeal in the clerk's office of the Supreme Court according to the requisitions of the foregoing section, to make out and deliver to the appellee, a certificate of such failure, which certificate when presented to the

clerk of the court below, shall authorize, and it is hereby made the duty of said clerk to issue execution and proceed in all things, as if no appeal had ever been granted.

SEC. 6. That hereafter if any person or persons being a prisoner or prisoners charged in execution or executions shall happen to die in execution, the party or parties at whose suit, or to whom such person or persons shall stand charged in execution or executions for any debt or damage, recovered, his, her or their executors or administrators may, after the death of the person or persons so dying in execution or executions, lawfully sue forth and have new execution or executions against the lands and tenements, goods and chattels of the person or persons so dying in execution at any time after twelve months.

SEC. 7. That after the taking effect of this act no Circuit Court in this state shall dismiss any appeal from the judgment of any magistrate or justice of the peace because of the insufficiency of any appeal bond if the appellant will at the calling of said appeal enter into good and sufficient bond to be approved by the court; nor shall any appeal be dismissed for want of any formality arising from the negligence of the justice.

SEC. 8. That whenever hereafter a subpoena in chancery shall be served upon any defendant or defendants in chancery

Against the estate &c. if persons dying charged in execution plaintiffs may sue forth new executions after 12 months.

No appeal to the circuit court shall be dismissed for insufficiency of bond, or negligence of justice.

Def't. in chancery failing to answer at

The term
to x^t at
the return
of subpoena,
complain'ts
bill taken
for confes-
sed.

and he she or they or either of them shall fail to answer, and the same to file at the term subsequent to that on which the subpoena shall have been returned executed (according to the law and usages of chancery) the complainant's bill shall be taken for confessed against the defendant or defendants, or either of them, and the court before whom such bill may be filed are hereby authorised to decree accordingly unless for good cause shewn the court may grant further day to answer.

Defts, in y
pica to the
considera-
tion of con-
tracts.

SEC. 9. It shall be lawful, whenever any specialty or other contract (excepting conveyances of real estate and instruments negotiable by the law merchant has been or shall be made the foundation of a suit, for the defendant or defendants in such suit, to allege by special plea, the want or failure of the consideration, or of any part thereof, of such specialty or other contract. And it shall be lawful, when any specialty or other contract (excepting as aforesaid) is alleged or averred in any stage of the pleadings by one of the parties in a suit, for the other party to aver in answer, and prove on trial, the want or failure of the consideration, or of any part thereof, of such specialty or other contract. And it shall also be lawful whenever any specialty or other contract, (excepting as aforesaid) shall be given in evidence, in any action by one party thereto, for the other party in said action, to prove the want or failure of the consideration, or of

At any
stage of the
pleadings,
either party
may aver &
prove a fail-
ure of con-
sideration.

any part thereof, of such specialty or other contract.

SEC. 10. In all cases in which security for costs are now, or shall hereafter be required by law to be filed previous to issuing a bill or writ it shall and may be lawful for the court before whom the said suit may be depending to suffer such security to be entered in open court, upon the calling of the cause, which security when entered shall have a retrospective effect as to previous costs.

SEC. 11. That whenever hereafter any suit or action in any court of record within this state shall abate by the death of the plaintiff or plaintiffs it shall and may be lawful for the heirs, executors, or administrators, or either of them, to revive the said suit or action, by issuing a scire facias to the defendant or defendants to shew cause why the said suit or action should not be revived: and if any suit or action should have abated before declaration filed then and in that case, it shall be lawful for the heirs, executors, or administrators, (as the case may be) to file his, her or their declaration in the same manner, as if the said suit or action had been commenced in his, her or their proper name or names, as representatives of the deceased, and judgment shall be given accordingly.

SEC. 12. That whenever a suit or action shall abate by the death of the defendant or defendants, it shall be lawful for the plaintiff or plaintiffs, to issue scire facias to the heirs, executors, or administrators of such deceased, or either of them (as the case may be) to shew cause why the suit

Security for
costs may
be entered
at the call-
ing of a
cause.

Executors
&c. may re-
vive suits
by si. fa.
which have
abated by
death of
pl^{ts}.

Actions
abated, be-
fore filing
the declara-
tion heirs
&c. may file
the same.

Actions, a-
bated by
death of
def^t, may be
revived by
si. fa. a-
gainst their
heirs execu-
tors &c.

And may plead by themselves, or as representatives, and judgment given accordingly.

If no representative of a deceased deft. be found judgment shall be rendered, subject to revival in 7 years.

Actions of slander &c. not revivable.

The party suing on bond to the Gov. shall in case on the writ for whose benefit the suit is brought.

or action should not be revived; and it shall be lawful, for his her or their executors or administrators (as the case may be) to appear and plead in their proper character, or as representatives, and judgment shall be given, as if the suit had been originally commenced against them; and in case there are no representatives of the defendant within the jurisdiction of the court, then and in that case, the plaintiff upon the return of the scire facias by the proper officer, that the party against whom the scire facias may issue is not to be found within his bailiwick, may take judgment, subject however to be opened by either the heirs executors or administrators, any time within seven years from the time of entering such judgment for the purpose of admitting any setoff, or equitable defence which they may have: *Provided* nevertheless, that in no case shall any action of slander or assault and battery be revived.

SEC. 13. That in all cases where any bond or bonds now are or hereafter may be given by any executor or administrator or any state, county or township officer to and in the name of the Governor for the time being, the associate or other judges, sheriff or other civil officers for the performance of any duty or trust, and it may or shall hereafter become necessary to institute suit or suits thereon, it shall be the duty of the person or persons for

whose benefit the same may be so brought, by himself or his attorney to endorse or cause to be endorsed upon the writ or summons which may issue for whose benefit the same has issued. And in case the party bringing such suit shall fail to succeed, he, she or they shall be liable to pay all costs which shall have accrued thereon, any law usage or custom to the contrary notwithstanding.

SEC. 14. In actions founded on tort the declaration shall be filed on or before the term to which the writ shall have been returned executed; and reasonable time in vacation shall be given to plead, to which a replication shall be made on or before the second day of the next succeeding term, and no witnesses in such cases, shall be subpoenaed to appear until such term.

SEC. 15. That in all cases in favor of special bail if the defendant or defendants shall surrender him, or themselves or be surrendered by their bail, in execution previous to Judgment, against said bail on scire facias, such scire facias shall be dismissed, at the cost of said bail, and the court before whom such suit may be pending shall enter an exonerator on the record, in favor of such bail, and such special bail shall thereafter be exonerated, and acquit-

And failing to succeed, he shall be liable to pay costs.

Declarations in actions of tort, when filed. Replication when filed. Witnesses when subpoenaed.

On si. fa. against bail, if the deft. surrender himself before judgment such bail shall be exonerated at his own costs.

ted of any demand on the part of the plaintiff in said case.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,

President of the Senate.

Approved December 26th. 1821.

JONATHAN JENNINGS:

CHAPTER XLV.

AN ACT making appropriations for the support of government for the year 1822.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the following sums, be, and they are hereby respectively appropriated, that is to say: For compensation granted by law to the members of the General Assembly, their officers and attendants, seven thousand five hundred dollars. For the expenses of fire-wood, stationary printing and all other contingent expenses of the General Assembly two thousand dollars. For compensation to the executive officers of Government two thousand two hundred dollars. For compensation to the Judges of the Supreme and Circuit Courts, the sum of five thousand six hundred dollars. For compensation to the Adjutant General, and incidental expenses in the Military department the sum of two hundred and fifty dollars. For compensation to the Attorney

Appropriations to the members of Assembly &c. &c.

General the sum of two hundred dollars. For defraying the expenses of prisoners in the penitentiary the sum of five hundred dollars. For defraying the expenses of engraving and printing ten thousand treasury notes the sum of one hundred and fifty dollars. For the payment of principal and interest of the public debt the sum of five thousand dollars. For the payment of the Revisor of the statute laws in pursuance of an act of the present General Assembly, the sum of two hundred dollars. For the payment of Territorial warrants the sum of thirty dollars. For compensation to the committee on Education the sum of two hundred and ten dollars. For discharging claims for wolf scalps taken previous to the repeal of the act providing for the killing of wolves fifty dollars. For defraying the contingent expenses of the Government for the year 1822 one thousand dollars. To the Auditor and Treasurer for their extra services in the issue of the ten thousand dollars of treasury notes directed by an act of the present session the sum of thirty dollars each. To John M'Donald for extra services as surveyor under the commissioners for running the dividing line between the states of Indiana and Illinois, the sum of thirty dollars and seventy cents. To John H. Thompson for six days services as Clerk for the sale of lots at Indianapolis the sum of twenty-four dollars. For compensation to the witnesses on the trial of Curtis

To the Penitentiary.

For paymt. of public debt.

For defraying contingent expenses for 1822.

Specific ap-
propriations.

Gilbert the sum of one hundred dollars. To Dudley Gresham for making two writing chairs for the use of the President of the Senate and Speaker of the House of Representatives, at five dollars each and one drawer the sum of eleven dollars. To Edward Ryan the sum of fifty cents for repairing the stove pipe. To James Newbury for making two dozen chairs eighteen dollars. For paying the postage on communications addressed to the Executive department, the sum of one hundred dollars. To be paid in the following proportions that is to say; to the Governor and Secretary of State thirty-five dollars each and to the Auditor and Treasurer fifteen dollars each. To Henry Batman for twelve loads of wood furnished the Legislature of the Indiana Territory in the year 1815 the sum of six dollars. To James Besse and John Eastburn for reclaiming John Dahman, the sum of one hundred and fifty dollars pursuant to an act passed at the present session of the General Assembly. To Thomas Targhuar for certain repairs done to the chamber of the house of Representatives and Senate chamber two dollars and fifty cents. To the Secretary, and assistant Secretary of the Senate, and the principal and assistant Clerks of the House of Representatives, the sum of three dollars and fifty cents each per day for their services during the present session of the General Assembly. To the door keepers of the two houses of Assem-

bly two dollars each per day, for their services during the present session of the General Assembly. To Francis N. Moore sergeant at arms to the Senate at the present session three dollars per day. To Joseph Paddocks sheriff of Harrison county for his services while attending on the Supreme Court at their May and November terms in 1821 for twenty days, two dollars per day. To same for furnishing fuel to said court during the above terms twelve dollars. To H. Luckett for one table and for repairing one other table seven dollars and fifty cents. To Christopher Harrison, James W. Jones and Samuel P. Booker Commissioners for laying out the permanent seat of Government three dollars for each day engaged in said service. To Reuben W. Nelson the sum of fifty-six dollars for his services for going with the Treasurer of State while attending to his duty in making demands at the Branch Banks. To Thomas Wilson for services in going with the treasurer of State to attest to a tender, the sum of twenty-one dollars. To William and Ephraim Gwartney for fuel twenty-six dollars forty-three and three fourths cents. To Robert A. New for taking charge of public furniture of the last General Assembly, ten dollars. The sum of twenty-five dollars be, and the same is appropriated for the payment of the witnesses in the impeachment of Aaron Vandever. To Andrew Heth the sum of one dollar, for branding chairs for the

use of both Houses of the General Assembly.

This act to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved January 2d. 1823.

JONATHAN JENNINGS.

CHAPTER XLVI.

AN ACT requiring certain Public Officers to give further security, when the original shall remove, become insolvent, or insufficient.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That whenever the security or securities of any of the Clerks of the Circuit Courts, Sheriffs, Coroners, or Justices of the peace, in any of the counties within this state shall remove without the state, become insolvent or insufficient, it shall be the duty of the Circuit Courts, upon petition signed by three or more respectable citizens of the proper county, setting forth such removal, insolvency, or insufficiency, to cause the officer, whose security or securities, may be so suspected, to appear before them, and shew cause, if any he may have, why he should not give an additional bond and se-

Circuit courts upon petition shall cause the officer whose security has become insolvent &c. to give additional security.

curity or securities, similar to the former bond executed by such officer, for the faithful performance of his duty as such.

SEC. 2. If upon the hearing of the case, the Circuit Courts shall be of opinion, that such security or securities, have not removed, or become insolvent, but are wholly sufficient, they shall dismiss the same, at the cost of the petitioners.

When dismissed at petitioners costs.

SEC. 3. But if it shall be the opinion of said court that such security or securities, have removed without the state, become insolvent or insufficient, to discharge the bond, which he or they may have executed as such security or securities: It shall be the duty of said court to require of such officer, such other and further security or securities, as they may deem necessary, and the bond or bonds so taken as contemplated by this act, shall be similar in every respect to the former bond given or required to be given by such officer.

When further security shall be required.

Bond like the former one.

SEC. 4. That when the securities to any constables' bond shall die, remove, become insolvent or insufficient and complaint of such fact shall be made to the board of county Commissioners in writing it shall be the duty of such board to issue a summons to such constable and securities to shew cause if any they can why other and better security should not be given and upon the hearing of said complaint and

County Commissioners on complaint, shall require further security of constables.

The facts set forth proved to the satisfaction of said board such security shall be required; and upon such constable refusing to comply he shall be dismissed by said board.

Penalty of officers refusing to comply.

SEC. 5. *And be it further enacted,* That should any officer refuse to comply with the order of the Circuit Court he shall be subject to attachment and all the process of contempt of said court.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER XLVII.

AN ACT to amend "an act regulating divorces,
approved January 26th, 1818.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That hereafter whenever the court shall decree a divorce agreeably to the provisions of the act to which this is an amendment, the court pronouncing the decree may in their discretion judging from the circumstances

of the case, release the offending party from the bans of matrimony so that the pains and penalties prescribed in the act to which this is an amendment shall not operate, any law, usage or custom to the contrary, notwithstanding.

Offending party released from the penalties prescribed in the amended act.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved January 2d, 1822.

JONATHAN JENNINGS.

CHAPTER XLVIII.

AN ACT supplemental to an act to prevent waste on lands reserved for the use of schools and salt springs.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana* That the superintendant of the thirty six sections of land situated in range two west in towns one and two north, generally known by the name of the French Lick reserved in Orange county, be, and he is hereby authorized to extend such leases as have heretofore been made of any part of said sections for and during the term of two years from and after the expiration of the original lease. That the superintendant of said sections shall prevent any stone from being taken from said sections, and if any person or persons shall remove any stone from said sections they shall be fined

Superintendant authorized to extend leases 2 years,

To prevent the taking off stone,

Penalty for removing stone, in any sum not exceeding one hundred dollars for each offence nor less than twenty dollars to be recovered upon indictment for the use of county seminaries: *Provided* that the contractors or undertakers of the state roads shall not be subject to the above restrictions.

Proviso,
Restriction not ext. to cont. of state roads.

This act to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives;
RATLIFF BOON,
President of the Senate.

Approved January 3d, 1822.

JONATHAN JENNINGS.

CHAPTER XLIX.

AN ACT to amend the act directing the mode of proceeding in impeachment, approved January 21st, 1818.

By whom costs shall be paid in cases of impeachment.

SEC. 1. *Be it enacted by the general assembly of the state of Indiana,* That whenever any person impeached shall be acquitted by the judgment of the Senate he shall recover such costs against the prosecutor or complainant to be taxed by the Secretary of the Senate as are now allowed by law in the Circuit Court for similar services; and if the party impeached be found guilty he shall pay to the prosecutor or complainant his costs to be taxed in the same manner; which costs in either case may be recovered by action of debt

in any court having jurisdiction of the same.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved January 3d, 1822.

JONATHAN JENNINGS.

CHAPTER L.

AN ACT authorizing John M. Donald and William M. Cartney to erect mills upon Fall creek at the falls thereof.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That John Carr Agent of Indianapolis, is hereby authorised, for and on behalf of the state of Indiana, to lease to John M. Donald and William M. Cartney, one quarter of the section numbered sixteen, in township numbered eighteen, north of range numbered seven east, of the second principal meridian, said quarter to include the mill seat on Fall creek, and if one quarter shall be found, not to contain the said mill seat, then so much of said section shall be attached, as will include said mill seat, with permission to erect a grist and saw mill thereon together with such other machinery as they may think proper, and under such restrictions as are hereinafter mentioned.

John Carr authorized to lease to J. M. Donald et al a mill seat on Fall Creek.

SEC. 2. The said mills or other machines

Description
of mills,

Term of ten
ure

Privileges
of lessees,

Shall enter
into bond.

ry, which shall be so erected, by the said M'Donald and M'Cartney at the site aforesaid, shall be of a good substantial and durable description, and when so erected, the said M'Donald and M'Cartney, shall use, occupy, and hold the same, for and during the term of ten years, from and after the first day of January, one thousand eight hundred and twenty two, free of rent, and at the end of the said term, they shall deliver the said mills, or other machinery up, to such person, as may be by law authorised to take charge of the same in good repair.

SEC. 3. The said M'Donald and M'Cartney shall be authorised and permitted by virtue of the lease aforesaid, to clear and improve any quantity of land on said section, not exceeding forty acres, which they shall use, and occupy free of rent, for and during the above mentioned term of ten years, which they shall be bound to deliver up at the time, they shall deliver up the mills above mentioned in good repair: *Provided* that the said M'Donald and M'Cartney, shall not be permitted to use any timber upon the land so leased, except what may be necessary in the erection and keeping in repair said mills and other machinery, and in the opening, improving, and keeping in repair the above quantity of land.

SEC. 4. The agent aforesaid shall take from the said M'Donald and M'Cartney a bond in the penal sum of five thousand dollars, payable to the Governor of this

state, for the time being, and his successors in office, conditioned, according to the preceeding provisions of this act.

This act shall be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RALPH BOON,
President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER LI.

AN ACT for the relief of William H. Ewing.

WHEREAS it has been satisfactorily represented to this General Assembly that by the death of James M'Taggart late collector of the Public revenue of Jackson county it is rendered impossible for William H. Ewing present collector, to collect and pay over said revenue by the time fixed by law, Therefore:

Preamble.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana*, That the said William H. Ewing be, and he is hereby allowed until the first day of February 1822 to collect and pay over said revenue; and that he be authorized to collect and pay the same in such money as the collectors of the present year were authorized to do by law.

Time of collecting revenue extended,

What money may be received.

This act shall take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER LII.

AN ACT for the relief of Robert Gray and Reuben H. Murray.

SEC. 1. *Be it enacted by the general assembly of the state of Indiana,* That Robert Gray and Reuben H. Murray, be, and they are hereby allowed the sum of five hundred dollars in addition to the three thousand dollars heretofore allowed by an act passed the ninth day of January, one thousand eight hundred and twenty one, for the purpose of building a state prison at Jeffersonville.

SEC. 2. That the Auditor of public accounts is hereby authorized to audit the said sum of five hundred dollars: and the Treasurer is hereby authorized and required to pay the aforesaid sum of five hundred dollars out of any monies in the treasury not otherwise appropriated.

Allowance
to R. Gray
and R. H.
Murray.

The sum to
be audited
and paid.

This act shall be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER LIII.

AN ACT providing for the location of the seat of Justice of Union county.

WHEREAS it appears to this General Assembly that the Commissioners appointed to locate the seat of Justice of the county of Union under the provisions of an act entitled "an act for the formation of a new county out of the counties of Wayne Franklin and Fayette failed to discharge the duty assigned them in consequence of the late period at which said act was published. Therefore,

Preamble.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That William Major of the county of Dearborne John Gilleland of the county of Switzerland Joseph Bentley of the county of Ripley Elijah Wright of the county of Washington and Ezra Ferris of the county of Dearborne or a majority of them be and they are hereby appointed Commissioners to locate a permanent seat of Justice for said county of Union which duty they shall

Commissioners
appointed.

When to
meet.

Their duty.

Sheriff of
Union county
to notify
them.

proceed to perform on the second monday of February next under and according to the provisions of the existing laws of the state relative to the location of seats of Justice in new counties and to do and perform all and singular the matters and things required of the Commissioners appointed by the aforementioned act by the provisions thereof.

SEC. 2. It is hereby made the duty of the sheriff of Union county aforesaid to notify the said Commissioners to appear on the said second monday of February next, at the house of Frederick Youse, in Brownsville in said county of Union to discharge their aforesaid duties.

This act to take effect and be in force from & after its publication in the Brookville Enquirer.

SAMUEL MILROY, Speaker
of the House of Representatives;
RATLIFF BOON,
President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER LIV.

AN ACT for the relief of the Sheriff of Fayette county.

Commissioners
authorised
to make an
allowance for

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the Board of county Commissioners for the county of Fayette be and they are hereby

authorised to make such allowance to John M. Wilson sheriff of said county for delinquencies in the payment of revenue for state and county purposes for the years 1819, 1820 and 1821 as to them may seem just and equitable.

SEC. 2. That the said Board of county Commissioners are hereby required forthwith on making such allowance to transmit a certificate of such allowance for state purposes to the treasurer of state who is hereby required to receipt for the same as money to the said sheriff and the said Board of county Commissioners shall also immediately transmit a like certificate of the amount allowed the said sheriff for delinquencies on the account of county revenue to the treasurer of said county of Fayette who shall credit the sheriff therewith.

delinquencies
over.

To certify
the sum to
Treasurer
of state,

Also to certify
Treasurer.

SAMUEL MILROY, Speaker
of the House of Representatives;
RATLIFF BOON,
President of the Senate.

Approved January 3d, 1822.

JONATHAN JENNINGS.

CHAPTER LV.

AN ACT amendatory to the several acts now in force regulating the assessment and collection of revenue.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That there is hereby assessed annually, for state pur-

Max on first
rate land

Second rate,

Third rate,

Listers du-
ty.

Assessment
of poll tax

How col-
lected,

Collector's
duty,

Their penal-
ty,

on every hundred acres of first rate land subject to taxation one dollar and fifty cents; on every hundred acres of second rate land subject to taxation one dollar; and on every hundred acres of third rate land subject to taxation seventy five cents, and in that proportion for a greater or less quantity; the aforesaid rates to be ascertained by the comparative quality of land in the county where such land is situated, taking into view the local advantages thereof from contiguity to towns, navigable waters and public roads and the listers of taxable property shall govern themselves by the rules hereby established for rating lands; and also make the same known to all persons whose landed property they may list previous to administering to them the oath prescribed by the acts, to which this is amendatory, in such cases.

SEC. 2. There shall be, and is hereby assessed a tax of fifty cents on each male person over the age of twenty-one years, for state purposes; which tax shall be collected under the same regulations and restrictions as are prescribed for collecting revenue by the several acts to which this is amendatory, and the several collectors in the several counties shall collect and pay said tax over to the said treasury at the same time that other state taxes are required to be paid and for failing so to do shall be subject to like penalties and forfeitures as are prescribed in other cases of state revenue: *Provided* that persons

over the age of fifty years and not freeholders, and such as are unable from bodily disability to follow any useful occupation for a livelihood, and all idiots and paupers shall be exempted from the tax imposed by this section: and *provided* also, that all personal property owned by widows and orphans, shall be exempted from taxation after the passage of this act, if such property does not exceed two hundred dollars in value.

SEC. 3. That a tax on land for county purposes, not exceeding two thirds the amount of the state tax on land, shall be assessed throughout the state, except in that part thereof commonly called the "New Purchase" within which the county Commissioners, if they see proper, may assess a poll tax of fifty cents for county purposes. So much of the second section of an act entitled "an act amendatory to the several acts regulating the assessment and collection of revenue in this state" approved January second, one thousand eight hundred and twenty one, as authorises a capitation tax for county purposes, be, and the same is hereby repealed.

SEC. 4. The county Commissioners in such counties as shall not be organized at the usual time of listing property for taxation shall have the power, and they are hereby required to assess the taxes herein provided for, after such counties shall be organized, at any time before the first day of August next.

SEC. 5. The Public Printer is hereby di-

Persons ex-
empted,

What prop-
erty shall be
exempted,

Tax assess-
ed for coun-
ty purposes.

2d section of
former act
repealed,

Duty of Co.
Commis-
sioners in
unorgani-
zed counties

acted to print two hundred copies of this act to be distributed and filed in the clerk's office of the several counties in this state.

This act shall take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved January 2d, 1822.

JONATHAN JENNINGS.

CHAPTER LVI.

AN ACT authorizing the reissuing and issuing Treasury notes.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the Treasurer of state, be, and he is hereby authorized and required to reissue the treasury notes heretofore issued that have or hereafter may be paid into the treasury, by paying the same to any person or persons who have or shall have any claim or claims on the treasury, the amount of his, her or their claim or claims: *Provided* that the said treasurer before reissuing any such note or notes shall endorse on the back thereof the day and year of reissuing the same and sign his name thereto as treasurer, and register the same as required by the act under which they originally issued.

SEC. 2. It is hereby made the duty of

the treasurer of state to procure ten thousand dollars of notes of the denomination of one dollar each, to be engraved and issued agreeably to, and under the provisions of an act entitled "an act authorizing the issuing of treasury notes approved January 9th 1821." PROVIDED that the form of the notes to be engraved and issued as aforesaid (the denomination excepted) shall be similar to those, which issued under the provisions of the above recited act.

SEC. 3. The notes thus reissued and issued shall be, and the same are hereby made receivable in payment of all taxes and debts due or which may become due the state, except for seminary purposes.

SEC. 4. Twenty thousand dollars of the revenue of the state are hereby pledged and appropriated for the redemption of the treasury notes to be issued and reissued as aforesaid, by the provisions of this act, and so much of any money as may be in the treasury, not otherwise appropriated is hereby appropriated for that purpose.

SEC. 5. The same pains, penalties and punishments prescribed in the above recited act, shall apply to, and be inflicted upon any person or persons who shall be convicted of falsely making, forging, counterfeiting or altering, or causing or procuring the same to be done, or who shall willingly aid or assist in falsely making, forging, counterfeiting or altering any note purporting to be a treasury note issued or to be issued by the authority of the state;

New issue
authorized;

Proviso:

Receivable
for taxes &
debts due
the state

Revenue
pledged for
the redemption.

Penalties.
&c. on persons
forging
or counter-
feiting the
same.

A reissue
authorized,

Time of re-
issuing to be
endorsed
thereon and
registered.

or shall pass, utter or publish, or aid or assist in passing, uttering or publishing as true, any false, forged counterfeited or altered note purporting to be a treasury note as aforesaid, knowing the same to be false, forged, counterfeited or altered.

Penalty upon collectors who shall receive them at other rates than par value.

SEC. 6. No sheriff or other officer, who now has or may hereafter have the collection of state or county taxes, shall either directly or indirectly take or receive the said notes at any other rate or sum than they purport to be upon their face, and any such officer who may be guilty herein, shall pay any sum not exceeding five hundred dollars, upon presentment or indictment before any court having jurisdiction thereof.

This act shall take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.
Approved December 31st, 1821.
JONATHAN JENNINGS.

CHAPTER LVII.

AN ACT to repeal part of an act approved January the seventeenth one thousand eight hundred and twenty declaring certain streams therein named navigable.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That so much of an act approved January the sev-

enteenth one thousand eight hundred and twenty as declares Little Pidgeon creek navigable from the mouth thereof to John Barker's mill, be and the same is hereby repealed.

This act to take effect, and be in force, from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.
Approved December 31st, 1821.
JONATHAN JENNINGS.

CHAPTER LVIII.

AN ACT to provide for the sale of the Seminary township in Gibson county and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That Alexander Devins, Walter Wilson and James Smith, be, and they are hereby appointed Commissioners to superintend the sale of the seminary township in Gibson county: Who after being duly sworn faithfully to discharge the duties enjoined on them by this act, shall proceed to give public notice of the time, place and conditions of such sale, three months previous thereto in the Evansville Gazette, the Indiana Gazette, the Louisville Public Advertiser, and the Cincinnati Gazette.

Commissioners appointed,

Their duty.

SEC. 2. The said land shall be sold in

Terms of
sale.

half quarter sections divided after the manner of Congress lands, to the highest bidder, and one fourth of the purchase money shall be paid in hand, and the remainder in three equal annual instalments, provided that no part of the above shall be sold at a less price than five dollars per acre.

Further provisions of
sale.

Sec. 3. The Commissioners shall give the purchaser a certificate describing the tract of land sold, the amount paid in hand, and of each installment and the time it becomes due: and should not such installments be punctually paid they shall draw interest from the date of certificate, and when such payments are completed the said Commissioners shall make to the purchaser or his legal representatives a deed in fee simple on behalf of the state. But should said installments not be punctually paid till three months after the last becomes due, the said Commissioners on behalf of the state shall take possession of the premises and expose them to sale after giving notice as above in some public newspaper published nearest the premises, and proceed as above required, if the same can be sold for five dollars per acre.

Further duty of Commissioners.

Sec. 4. The said Commissioners shall on or before the first Monday of December annually make out a complete return of their proceedings to be laid before the General Assembly and shall pay over to the state Treasury all money by them received, that it may be made a productive fund for the benefit of the state Seminary.

Sec. 5 The said Commissioners before entering upon the duties of this appointment shall give bond and security payable to the governor and to be approved of by him, in the penal sum of fifty thousand dollars conditioned for the faithful performance of the duties of their appointment, that the real estate of the security hereby authorised to be taken shall be held bound from the date of their bond as such security, and in case they, or either of them shall neglect or refuse to serve, the Governor shall appoint some suitable person or persons who shall in all respects be governed by the provisions of this act. And such Commissioners shall receive for their services a reasonable compensation to be allowed by the next General Assembly.

Commissioners shall
give bond
and security.

Their compensation,

Sec. 6. The said Commissioners shall be vested with the authority of superintendants of college townships as is provided in the act to prevent waste on lands reserved for the use of schools and salt springs approved January 24th 1818, except that no part of the said land shall be leased for a longer term than one year.

Empowered
as superintend-
ants of college town-
ships.

Sec. 7. Whereas it is stated to this General Assembly that the former Board of trustees of the Vincennes University sold certain quarter sections of the seminary township without making and executing deeds therefor, and that the said Board have expired by the negligence of its members; for remedy whereof: the said commissioners or a majority of them shall and

Preamble:

Remedial
power of
commiss-
sioners.

they are hereby authorized and directed to hear the claims, receive evidence and decide on the said sales and purchases; and where to them it may seem just and right, to make and execute deed or deeds of conveyance to the purchaser or purchasers of any one or more quarter section or sections of land in the said seminary township, so purchased as aforesaid under the provisions of the act of the General Assembly authorizing the said Board of trustees to sell and dispose of part of the said seminary township of land.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved January 2d, 1822.

JONATHAN JENNINGS.

CHAPTER LIX.

AN ACT supplemental to the act providing for the incorporation of towns in the state of Indiana approved January 1st 1817.

President
and clerk
failing to at-
tend to the
election of
trustees, the
acts of cor-
poration
and officers,
valid.

SEC. 1. *Be it enacted by the general assembly of the state of Indiana,* That whenever the inhabitants of any town, have heretofore or shall hereafter hold a meeting to decide whether such town shall be incorporated and the president or clerk of said meeting have failed or shall fail to attend to the election of trustees as is provi-

ded in the act to which this is a supplement, the acts of such corporation and its officers (as it respects the failure of such president or clerk to attend such first election) are hereby declared valid and legal to all intents and purposes, PROVIDED some suitable person has been or shall be appointed to act in the room of such president or clerk failing as aforesaid.

Proviso.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved January 2d, 1822.

JONATHAN JENNINGS.

CHAPTER LX.

AN ACT for the formation of a new county out of the county of Delaware.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That from and after the first day of June next all that tract of land which is included within the following boundaries shall constitute and form a new county to be known and designated by the name and style of the county of Henry, to wit: Beginning at the south west corner of Wayne county; thence west twenty miles; thence north twenty miles; thence east twenty miles; thence south twenty miles to the beginning.

Name and
boundaries.

Privileges
&c.

Commissioner
appointed.

When and
where to
meet.

Sheriff of
Wayne co.
to notify
them.

Courts,
where to be
holden.

SEC. 2 The said new county of Henry shall, from and after the first day of June next enjoy all the rights, privileges and jurisdictions which to separate and independent counties do or may properly belong and appertain.

SEC. 3. Lawrence H. Brannon and John Bell of the county of Wayne, John Sample of the county of Fayette, Richard Biem of the county of Jackson, and James W. Scott of the county of Union, are hereby appointed Commissioners agreeably to an act entitled "an act for the fixing the seats of Justice in all new counties hereafter to be laid off." The Commissioners above named shall meet at the house of Joseph Hobson in the said county of Henry on the first Monday in July next, and shall immediately proceed to discharge the duties assigned them by law. It is hereby made the duty of the sheriff of Wayne county to notify the said Commissioners either in person or by written notification of their appointment on or before the fifteenth day of June next; and the said sheriff of Wayne county shall be allowed therefor by the county Commissioners of the county of Henry such compensation as by them shall be deemed just and reasonable, to be paid out of the county treasury of said county of Henry in the same manner other allowances are paid.

SEC. 4. The circuit and all other courts of the county of Henry shall meet and be holden at the house of Joseph Hobson un-

til suitable accommodation can be had at the county seat of said county; and so soon as the courts of said county are satisfied that suitable accommodations are provided at the county seat of said county, they shall adjourn thereto after which time all the courts of said county shall be held at the seat of justice thereof: *Provided* however that the circuit court of said county shall have authority to remove from the house of said Joseph Hobson, to any more suitable place in said county previous to the completion of the public buildings if they should deem the same expedient.

SEC. 5. The agent who shall be appointed for said county to superintend the sales of lots at the county seat of said county or receive donations for said county, shall reserve ten per cent. out of the proceeds of such sales and donations, which he shall pay over to such person or persons as by law may be authorized to receive the same, for the use of a county library for said county; which he shall pay over at such time or times and manner as shall be directed by law.

SEC. 6 The Board of county Commissioners of said county shall within twelve months after the permanent seat of justice shall have been selected proceed to erect the necessary public buildings thereon.

SEC. 7. The same powers, privileges and authorities that are granted to the qualified voters of Dubois county and oth-

10 per cent.
reserved.

Public
buildings,
when to be
erected.

ers named in the act entitled "an act incorporating a county library in the counties therein named" approved January the 28th 1818, to organize, conduct and support a county library, are hereby granted to the qualified voters of said county of Henry; and the same power and authority therein granted to, and the same duties required of, the several officers elected by the qualified voters of the said county of Dubois and other counties named in said act for carrying into effect the provisions thereof according to its true intent and meaning, are hereby granted to and required of the officers who may be elected for the purpose aforesaid by the qualified voters of said county of Henry.

This act shall be in force from and after the first day of June next.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,

President of the Senate.

Approved December 21st, 1821.

JONATHAN JENNINGS.

CHAPTER LXI.

AN ACT attaching the county of Wabash to the counties of Park and Putnam, for certain purposes.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana* That the boundaries. county of Park shall have civil and crim-

al jurisdiction over all that part of the county of Wabash, lying west of the line dividing ranges five and six west; and the county of Putnam shall have civil and criminal jurisdiction over that part of the said county of Wabash lying east of the line dividing said ranges as far as to the second principal meridian.

SEC. 2. The second section of an act supplemental to an act for the formation of a new county out of the counties of Jackson and Delaware approved January the ninth eighteen hundred and twenty-one, be, and the same is hereby repealed. Repeal.

This act to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,

President of the Senate.

Approved January 24, 1822.

JONATHAN JENNINGS.

CHAPTER LXII.

AN ACT dissolving the bans of matrimony between Polly Jenkins late Polly Hickey and her husband Josiah Jenkins.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana*, That the bans of matrimony heretofore solemnized between Polly Jenkins of Orange coun- Bans of matrimony dissolved.

ty in this state and Josiah Jenkins her husband be and the same is hereby dissolved and the said Polly Jenkins be and she is hereby free from any obligation in consequence of the aforesaid marriage contract, in all respects as if the same had never been entered into.

This act to take effect and be in force from and after its passage.

CHAPTER LXIII.

AN ACT attaching part of the county of Posey, to the county of Gibson.

Sec. 1. Be it enacted by the general assembly of the state of Indiana, That from
Boundaries: and after the first day of February next, all that part of the county of Posey that lies in township four south of Buckingham's base line, in range eleven west be separated from said county of Posey and attached to the county of Gibson: *Provid-*
Proviso: ed however, that all suits, pleas, plaints, actions and proceedings which have been commenced and pending in that part of the said county of Posey hereby attached to the said county of Gibson, shall be pros-

ecuted in the same manner as if this act had not been passed.

SAMUEL MILROY, Speaker
 of the House of Representatives.
 RALPH BOON,
 President of the Senate

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER LXIV.

AN ACT to authorize called sessions of the circuit courts within this state for the purposes therein named.

WHEREAS it has been represented to this General Assembly, that considerable expense has been incurred in some of the counties in this state, for want of a more speedy method of bringing to trial persons charged with certain criminal offences; For remedy whereof:

Sec. 1. Be it enacted by the General Assembly of the state of Indiana, That when-
 ever hereafter any person or persons shall be committed to the jail of either of the counties within this state, that it shall be lawful and it is hereby made the duty of the associate judges of the county where such offence shall have been committed, so soon as they shall have notice thereof, to fix upon a time not less than ten days nor more than twenty days for the purpose of holding a court for the trial of any such person or persons as may be confined in the jail of their said county, provided the

Preamble

Associate judges to fix the time of trial,

person or persons so committed shall be charged with any offence less than capital by the laws of this state.

Duty of
sheriff,

SEC. 2. It is hereby made the duty of the sheriff of the county wherein such person or persons shall be committed within five days after such commitment to notify the associate Judges of his county of such commitment and of the nature of the offence for which such person or persons shall have been committed under the penalty of five dollars for each day he shall neglect or refuse to give such notice as aforesaid after the expiration of the said term of five days to be recovered by presentment or indictment.

Associate
judges shall
direct the
clerk to is-
sue venires

SEC. 3. And be it further enacted, That so soon as the associate Judges shall have received such notice they shall fix upon a day certain and issue their order or precept directed to the clerk of the proper county under their hands and seals commanding him immediately to issue and deliver to the sheriff of his county a venire facias for a grand jury and also a venire facias for eighteen lawful men as traverse jurors, returnable on the day so fixed upon by the associate Judges, and it shall be the duty of the sheriff to serve such writs of venire facias, as in other cases.

Sheriff's
further du-
ty,

SEC. 4. That it shall be the duty of the sheriff of the county so soon as he shall receive the said writs of venire facias to publish at the door of the court house of his county the time so as aforesaid fixed upon for the meeting of the court, in man-

uscript advertisement and to do and perform all the duties required of him, the better to carry into effect the true intent and meaning of this act.

SEC. 5. That all persons who may be recognized or subpoenaed to attend at any court pursuant to this act may on failure to attend be proceeded against in all respects as in similar cases before the regular circuit courts.

Persons re-
cognized,
penalty for
failing to at-
tend,

SEC. 6. That the associate Judges in their respective counties when met, in pursuance of the provisions of the preceding sections of this act, shall proceed to empanel the grand jury so as aforesaid summoned, and give them particularly in charge the cause or causes for which the court has convened, and upon an indictment or presentment being found by the grand jury, to hear and to determine the same according to the laws rules and regulations observed in the Circuit courts of this state, and if the person tried is found guilty, to proceed to award sentence according to law.

Further du-
ty of associ-
ate judges,

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFE BOON,
President of the Senate,

Approved January 24, 1822.

JONATHAN JENNINGS.

CHAPTER LXV.

AN ACT to amend the act respecting public Seminaries and for other purposes, approved January 26th 1818.

Duty of
trustees of
public sem-
inaries,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the trustees of the public seminaries shall annually exhibit a detailed account of the seminary funds in their hands to the county Commissioners, on the second day of their November term, and the said county Commissioners after examining all the proceedings of such trustees shall cause to be entered on their record, their approbation or disapprobation of the official conduct of such trustees, and the clerk of said board shall forward a copy of the same to the Speaker of the House of Representatives on or before the first Monday of December annually.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved January 2d, 1822.

JONATHAN JENNINGS.

CHAPTER LXVI.

AN ACT to establish a permanent road from Leavenworth to Terre Haute.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That John

Bennefield of Sullivan county, Johnson Ferris, sen. of Martin county, John Pen-
nick and Abram McClelland of Orange
county, be, and they are hereby appointed
Commissioners to view, lay out, and lo-
cate a road from Leavenworth or Fredonia
in the county of Crawford, as the above
Commissioners may think most conducive
to the public interest, to Hindostan in the
county of Martin, thence to Terre Haute
in the county of Vigo, unless the said road
so to be laid out should before it reaches
Terre Haute fall into some permanent
road already established by law leading to
that place, and then the said road so to be
established shall terminate at the point of
junction with such other road; and the
Commissioners hereby appointed or a ma-
jority of them shall meet at Leavenworth or
Fredonia, on the first Monday of April
next, and after taking an oath faithfully to
discharge the duties hereby assigned them
shall proceed to locate and mark out, and
establish the said road in the nearest di-
rection and on the best ground between
the several places aforesaid.

Commis-
sioners ap-
pointed,

When and
where to
meet,

SEC. 2. The said road when so estab-
lished shall remain permanent and unal-
terable and shall be opened and kept in
repair by the county Commissioners in the
same manner in which other public roads
are opened and kept in repair; and shall
not exceed fifty feet in width.

Road to be
permanent
and kept in
repair,

SEC. 3. If the Commissioners hereby ap-
pointed or a majority of them shall fail to
meet at Leavenworth or Fredonia at the

In case of
failure to
meet say;

ther time al- time appointed, they are authorised to
lowed, meet at any other time on which they or
a majority of them shall agree.

Duty of co. Sec. 4. Each county Surveyor shall go
surveyors, with and attend the said Commissioners
hereby appointed, through their respec-
tive counties and shall run such lines and
perform such services connected with the
duties of their office as the said Commis-
sioners may require; *Provided* however,
that such surveyor shall not be under ob-
ligation to attend said Commissioners un-
less one day's notice is given him that his
services are required.

Compensa- Sec. 5. The Commissioners aforesaid
tion of com- shall receive for their services rendered
and survey- under this act one dollar per day, and the
ors, county surveyors two dollars per day and
shall be paid out of the Treasury of the
county in which the services shall be ren-
dered.

How gov- Sec. 6. The said Commissioners here-
erned, by appointed shall in all respects not here-
in otherwise provided for, be subject to the
provisions of an act entitled "an act lo-
cating certain permanent roads therein
named and for other purposes" approved
January 22d 1820, and the same duty is
hereby enjoined upon the several boards
of county Commissioners in the several
counties through which said road shall
run, as are enjoined upon the county
Commissioners mentioned in the thirty
first section of said act; and the same re-
medy is hereby given to any person or
persons who may deem himself herself or

themselves agrieved by the laying out of Persons ag-
the said road, as is given in and by the griev'd how
thirty fourth section of the act aforesaid. redressed,

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved January 2d. 1822.

JONATHAN JENNINGS.

CHAPTER LXVII.

AN ACT attaching part of Switzerland county to
the county of Ripley.

SEC. 1. *Be it enacted by the General As- Boundaries,*
sembly of the state of Indiana, That from
and after the first day of March next all
that part of the county of Switzerland
which lies north of the line running east
from the north-west corner of section thir-
ty three in town No. six north of range
No. twelve east in the district of public
lands sold at Jeffersonville, to the Dear-
born county line, be, and the same is here-
by attached to the county of Ripley: *Pro- Proviso,*
vided that all suits, pleas, complaints, actions
and proceedings which shall have been
commenced, instituted and pending with-
in the said county of Switzerland previous
to the first day of March next shall be pro-
secuted to final effect in the same manner,
as if this act had not been passed; and
provided further, that the state and county
tax which shall be due on the said first

day of March next, shall be collected and paid in the same manner and by the same officers as if this act had not been passed.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER LXVIII.

AN ACT authorising the Agent of Indianapolis to lease a Ferry and for other purposes.

Agent authorised to lease a ferry for any term less than three years.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the Agent of Indianapolis, be, and he is hereby authorised & directed to lease the ferry on the west fork of White river opposite Indianapolis which is within the donation made by the United states to this state for a permanent site of government, to any person or persons on the best terms for the interest and benefit of the state for any term not exceeding three years, receivable by said Agent or his successors in office annually after the expiration of the first lease, the said lease conditioned that the said lessee or lessees furnish all boats and crafts necessary for the use of said ferry.

To lease to persons holding improvements, persons holding the same shall be entitled

SEC. 2. The said Agent is hereby authorised to lease to the persons holding the improvements on the donation; and the persons holding the same shall be entitled

to one year longer time on said improvements by giving up possession to the Agent in good repair.

SEC. 3. It shall be the duty of the said Agent to rent out the fraction of land lying west of said fork of White river and which is within the donation, for a term not exceeding five years to any person or persons for the benefit of this state, and take bond and security for the payment of the rent, to be paid annually, which rent or rents shall be deposited by said Agent with the treasurer of this state on or before the first day of December yearly. The above fraction shall be laid off in lots from five to twenty acres; and it shall be the duty of the rentors to clear and fence in the said lots completely in six months from the date of their respective leases.

SEC. 4. The Agent is hereby authorised and directed to sell any part of the unappropriated donation not exceeding two acres to any person or persons for the purpose of making bricks for the improvement of the town.

SEC. 5. The Agent is hereby instructed to lease to any person who is a citizen of the town any of the unsold squares within the town boundary, on condition that the lessee cut down and clear off all the wood and timber on said square in four months from the date of his lease. This condition when complied with shall be received in full of rent by the Agent.

SEC. 6. It is expressly understood, that whenever the Legislature shall deem it

To rent certain land for a term not to exceed 5 years

To take bond and security,

To deposit with the treasurer,

Agent authorised to sell in lots not to exceed two acres,

He may lease to the citizens of the town unsold squares,

When lessee shall surrender

star posses-
sion,

necessary to order a sale of the lots con-
tained within the squares above leased ;
that the lessee shall, on notice being given
by the Agent or any other person for him
three months before the sale, surrender to
the Agent or any other person authorised,
in his place all lots and squares above leas-
ed, without any further trouble or expense
to government ; the lessee having full pow-
er to remove all improvements he may
have made on said squares.

Agents' sal-
ary,

SEC. 7. The annual salary of the Agent
of Indianapolis shall be three hundred dol-
lars and no more after the expiration of
the first year.

This act to be in force from and after
its passage.

SAMUEL MILROY, Speaker
of the House of Representatives;
RATLIFF BOON,
President of the Senate.

Approved January 3d. 1822.

JONATHAN JENNINGS.

CHAPTER LXIX.

AN ACT to amend the act defining the duties of
constables.

Judgments
on bond for
the delivery
of property

SEC. 1. *Be it enacted by the general as-
sembly of the state of Indiana,* That when-
ever any bond shall be given to any con-
stable for the delivery of any property, and
said bond shall be forfeited ; and the said
constable shall obtain judgment against

the person or persons who shall have given
such bond the person or persons against
whom such judgment shall have been ob-
tained, shall not be at liberty to give any
other bond, nor shall the constable take
any other bond if offered ; and if any per-
son or persons shall forfeit any bond given
for the delivery of any property and judg-
ment shall be obtained on such bond and
the defendant or defendants shall appeal
from such judgment to the Circuit court
and judgment shall be there obtained,
there shall be no stay of execution.

Other bonds
not to be
taken,

No stay of
execution on
judgment
unless for
the delivery
of property,

SEC. 2. Whenever any judgment shall
be obtained by scire facias against any
person or persons who shall have become
security for the stay of execution ; or who
shall hereafter become the security as a-
foresaid there shall be no stay of exe-
cution ; and personal property shall
hereafter be bound by execution from the
date of the same. All acts and parts of
acts coming within the perview of this act,
are hereby repealed.

No stay of
execution
unless a-
gainst secu-
rity,

Repeal,

SEC. 3. That in all civil actions now
pending or which may hereafter be insti-
tuted before any Justice of the peace and
the plaintiff or plaintiffs in such action
shall demand of the Justice before whom
such action shall be pending, a trial by ju-
ry and the jury so demanded shall not re-
turn a verdict for such plaintiff or plain-
tiffs for the sum of twenty dollars or more
such plaintiff or plaintiffs shall pay all the

When Plff.
demanding
a trial by
jury shall
pay costs,

costs which shall accrue in consequence of such trial by jury as aforesaid.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved January 3d. 1822.

JONATHAN JENNINGS,

CHAPTER LXX.

AN ACT legalizing the election of trustees for the county Library of Sullivan county and for other purposes.

Preamble,
[unclear]

SEC. 1. WHEREAS it is represented to this General Assembly that on the first Monday in September eighteen hundred and twenty one the qualified voters of the county of Sullivan, elected a president, and seven trustees for the county library of said county in conformity with the act entitled "an act incorporating a county Library in the county of Dubois, and other counties therein named," and also the act entitled "an act authorising the citizens of Monroe county and other counties therein named to elect a president and trustees for a county Library, and for other purposes:" And whereas also various doubts have arisen whether the said qualified voters of Sullivan county were at the time aforesaid authorised to exercise the privileges conferred by said acts. Therefore,

Be it enacted by the General Assembly of

the state of Indiana, That the election held as aforesaid in the county of Sullivan be and the same is hereby legalised, and that David Harbour, James Wason, Abraham M'Clelland, David Wilkins, Josiah Mann, James Drake, Charles Fullerton, and Samuel Judah, the persons then and there chosen for the purposes aforesaid, and their successors in office be and they are hereby vested with all the powers, privileges, and authorities as president and trustees as aforesaid, which by the said act entitled "an act incorporating a county Library in the county of Dubois and other counties therein named" were granted to, and vested in the president and trustees of the county Library of said county, and also that the provisions of said act so far as the same are applicable be and they are hereby extended to the said county of Sullivan.

The election, of president and trustees legalized,

Their powers, &c. defined,

SEC. 2. *And be it further enacted,* That so much of any law heretofore enacted, authorising the qualified voters of Sullivan county to meet and organize a county Library therein be and the same is hereby repealed.

Repeal,

This act to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st. 1821.

JONATHAN JENNINGS,

CHAPTER LXXI.

AN ACT to prevent passing counterfeit money and for other purposes.

Persons
convicted of
passing
counterfeit
money, how
punished,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana.* That if any person shall falsely utter or tender in payment any forged or counterfeit of any gold or silver coin which now is or hereafter may be passing or in circulation within this state knowing the same to be forged and counterfeit, or having aided abetted or commanded the same every person so offending shall for every such offence on conviction thereof be whipped not exceeding thirty nine stripes be fined not exceeding two hundred dollars and imprisoned not exceeding one month at the discretion of the court who may try the same.

Dies, plates
&c. when
found shall
be destroyed,
&c.

Persons
having them
in possession
how
punished,

SEC. 2. That if any dies plates or other apparatus made use of in coining and counterfeiting the current coin of the country shall be found in the possession of any person (or otherwise) the dies plates or apparatus so found shall be destroyed and the person or persons in whose possession such dies plates or other apparatus may be found shall on conviction before any court having jurisdiction thereof be fined in any sum not exceeding one hundred dollars and be imprisoned not exceeding one month.

This act to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives
RATLIFF BOON.

President of the Senate

Approved December 31st, 1821,

JONATHAN JENNINGS:

CHAPTER LXXII.

AN ACT for the formation of a new county out of the county of Delaware.

SEC. 1. *Be it enacted by the general assembly of the state of Indiana,* That from and after the first day of April next, all that part of the county of Delaware, which is contained in the following bounds, shall form and constitute a new county to be known and designated by the name and style of the county of Merion to wit, Beginning at the north-east corner of section numbered fifteen in township seventeen north of range five east of the second principal meridian line, in the district of Public Lands sold at Brookville; thence south twenty miles to the south-east corner of section twenty two in township fourteen north of range five east; thence west twenty miles to the south-west corner of section twenty-one, in township fourteen north of range two east; thence north twenty miles to the north west corner of section sixteen in township seventeen

Name and
boundaries

North of range two east thence east to the beginning.

Rights and
privileges,

SEC. 2. The said new county of Marion, shall form and after the first day of April next, enjoy all the rights privileges and jurisdictions, which to separate and independent counties do, or may properly appertain and belong.

Seat of justice when
established,

Courts
where holden,

SEC. 3. The square numbered fifty eight in the town of Indianapolis is hereby declared to be, and is hereby established as the seat of Justice for said new county of Marion. The Circuit and all other courts of the said county of Marion, shall be holden at the house of John Carr in the town of Indianapolis aforesaid, until a court house, or other house more suitable can be had, and so soon as the Circuit court is satisfied that a more suitable house is provided, they shall adjourn said court thereto; and when a court house shall be provided the Circuit court of said county shall adjourn thereto; after which time all the courts of said county shall be holden in said court house.

Appropriation for
building a
court house,

SEC. 4. The sum of eight thousand dollars is hereby given to said county for the purpose of building a court house, to be paid in three equal installments out of the money due the state for lots heretofore, or hereafter to be sold in the town of Indianapolis, as the installments thereof respectively become due to the state, and it shall be the duty of the Agent for the seat of Government, to pay the same to the

order of the Board of county Commissioners of said county, or any part thereof as the aforesaid installments shall respectively become due, which shall be applied under the direction of the Board of county Commissioners of said county, for the purpose of building a court house in the town of Indianapolis, in size at least fifty feet square, to be built of brick of the best quality and two stories high, to be completed in a workmanlike manner, which shall be commenced within one year from the taking effect of this act, and be completed within three years thereafter, and when the said court house shall be completed it shall be for the use of the General Assembly, the Supreme and federal court, until a state house shall be completed at the seat of Government, and it is hereby made the duty of the Board of county Commissioners of said county to carry the provisions of this section of the act into complete effect according to the true intent and meaning thereof.

SEC. 5. Two per cent. out of the future sale or sales of lots in the said town of Indianapolis shall be and the same is hereby reserved for the use of a county Library at the seat of Justice of said county, and the Agent of Indianapolis shall pay the same over from time to time to the person or persons who by law may be authorized to receive the same: Provided however, that the money appropriated for the building of the state prison at Jeffersonville shall be first paid.

Agent to
pay over to
Commissioners.

For what
purposes
occupied:

Duty of C.
Com'rs.

Two per
cent. reserved
for C.
library.

Powers given to establish county library.

SEC. 6. Within one year after the taking effect of this act, the qualified voters of the said county of Marion, shall meet at the seat of Justice of said county, and when so met shall proceed to choose a President and Trustees of the county Library in the manner prescribed in an act entitled "an act incorporating a county Library in the county of Dubois and other counties therein named" approved January 28th 1818. The President and Trustees when so chosen shall be governed in every respect by the provisions of the above mentioned act.

District of country attached to Marion co.

SEC. 7. That all that tract of county lying north of said county of Marion of the following boundaries, viz: Beginning at the line dividing sections No. 9 and 10 in township 17 in range 4 east, thence north along said line to the line dividing townships No. 20 and 21, thence east along said line to the line dividing sections 3 and 4 in township No. 20 in range No. 3 east of the 2 principal meridian; thence south to the line dividing townships No. 17 and 18, thence north along said line to the north-west corner of section No. 6 in township No. 17 in range 3 east, thence south two miles, thence west to the place of beginning, be and the same is hereby attached to the said county of Marion until otherwise provided by law, and the inhabitants of the said district of country shall be entitled to all the privileges of citizens of said county of Marion and shall be subject

to the same taxation and other regulations and restrictions.

This act shall take effect from and after the first day of April next.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,

President of the Senate.

Approved December 31st. 1821.

JONATHAN JENNINGS.

CHAPTER LXXIII.

AN ACT amendatory to an act entitled an act authorising the granting of letters testamentary and letters of administration for the settlement of intestate estates and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana*, That it shall be and it is hereby made the duty of the Presidents of the Circuit courts in the several counties in this state at every term of their respective courts carefully to examine the records of the courts of probate in their respective circuits and correct any errors which may be found in the same and all, and every record so corrected in term time, shall be as valid in law as though correctly entered in the first instance; and it shall be the duty of the President of each circuit after having examined and corrected the records of the courts of probate as aforesaid to sign his name to the same.

Presidents of C. courts to examine records of probate courts.

Shall sign their names to the records when examined.

SEC. 2. *Be it further enacted*, That

Executors &c. shall give notice when demands against the estate shall be exhibited.

Creditors failing to exhibit their claims shall be postponed.

When executors &c. may sell real estate.

Judges may hold special sessions.

soon as any administrator or executor shall be authorised to act as such it shall be his her or their duty to give public notice in some public newspaper in this state, of the death of his her or their testate or intestate requiring all persons having claims of any description against such estate to exhibit their demands within twelve months next after the taking out such letters testamentary or letters of administration. To the intent that the creditors of the deceased may be secured in their demands entirely, or if the estate should prove insolvent that they may receive their proportionate dividends of such estate in proportion to the amount of their respective claims and any creditor to such estate who shall fail to file his or her account or demand properly authenticated within the time aforesaid shall be postponed to those who may comply with the provisions of this act expenses of last sickness and funeral expenses shall be first paid.

SEC. 3. That all executors and administrators shall have power to sell and convey the real estate of such testator or intestate as have died or may hereafter die without leaving personal estate sufficient to pay their debts upon application to the court in manner and form as is directed by the original act to which this is an amendment.

SEC. 4. That the associate Judges of each county shall and they are hereby authorised and required to hold special ses-

sions for doing and transacting all such business as by law they are authorised to do by virtue of the act to which this is an amendment or shall by this act be authorised to do and perform.

SEC. 5. That in case of the death or resignation of one of the associate Judges the other shall and he is hereby authorised and empowered to hold such court as aforesaid in the same manner as if both were present and it shall be lawful for such Judge to take any bond or bonds payable to himself and his associates when elected.

SEC. 7. That no mispleading or lack of pleading shall hereafter render any executor or administrator liable to pay any debt of the deceased damages or costs beyond the actual amount of assets which shall or may come into his her or their hands.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved January 2d. 1822.

JONATHAN JENNINGS.

CHAPTER LXXIV.

AN ACT providing for the election of President and Trustees for the Monroe county Library.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the qualified voters of Monroe county are

One associate judge authorised to hold a court.

Executors &c. not made liable on the account of mispleading.

When a president & trustees shall be elected.

hereby authorised to assemble themselves at the court house in Bloomington on the first Monday of May next, and elect a President and seven trustees to conduct the concerns of the said library until an election can be holden under the provisions of "an act incorporating a county library in the county of Dubois, and other counties therein named" approved January the 28th 1818, and the president and trustees elected as aforesaid, shall continue in office until their successors are duly elected and qualified.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER LXXV.

AN ACT for the relief of the county Agent of Pike county.

Treasurer
of C. library
shall receive coun-
ty orders.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the Treasurer of the county Library for the county of Pike be and he is hereby authorised and required to receive from Thomas C. Stewart the agent of said county the amount of the Library fund due from the sale of lots in the town of Petersburg in county orders in said county when they shall be tendered by said Agent.

SEC. 2. That the said treasurer so soon as he shall receive the said orders he shall lay before the board of county Commissioners of said county and the said board shall receive and destroy the same, and shall grant to said treasurer for the use of said Library an order on the county treasurer for the amount of said orders so destroyed which the county treasurer is hereby enjoined to pay to said treasurer at least fifty dollars each and every year until the whole amount shall be paid out of the county revenue.

How the or-
ders shall
be cancelled

This act to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate

Approved January 2d, 1822.

JONATHAN JENNINGS.

CHAPTER LXXVI.

AN ACT providing for additional Trustees for the State Seminary and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That John Milroy of Lawrence county and Samuel Dodd, Joshua O. Howe and John Ketchum of Monroe county be, and they are hereby appointed additional trustees of the state seminary, and the aforesaid trustees before they enter upon the duties of their of-

Additional
trustees ap-
pointed.

Shall give
bond and
security.

Shall give bond and security, to be approved of by the Governor in the sum of two thousand dollars payable to the Governor or his successors in office, for the use of the state seminary, conditioned for the faithful performance of the duties of their office.

In conjunction with former trustees shall constitute a board.

Sec. 2. The trustees heretofore appointed by an act establishing the state seminary and for other purposes approved January the 20th 1820 who have executed a bond with security for the performance of their duty according to law, together with the trustees appointed by this act, shall constitute a board of trustees a majority of whom shall have the same powers, and privileges which are granted by the aforesaid act of eighteen hundred and twenty, to the trustees therein appointed and shall do and perform all the duties which by law are required of them, and shall continue in office until their successors are duly appointed and qualified.

Their powers &c. defined.

When they may erect buildings for a professor and students.

Sec. 3. The trustees aforesaid or a majority of them may, and they are hereby authorised from and after the first of March next to proceed to erect a suitable and convenient house for the reception of students, and also a house for the accommodation of a professor, upon the seminary square heretofore selected upon the reserved township in Monroe county: PROVIDED that the houses aforesaid shall be built with good materials, and shall be so arranged and constructed as to form a component part of the principal building

Proviso,

which may be hereafter erected for the purposes of a state Seminary or University.

SAMUEL MILROY, Speaker
of the House of Representatives.
RATLIFF BOON,
President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

CHAPTER LXXVII.

AN ACT for the relief of Ann Ludlow.

WHEREAS it has been satisfactorily represented to this General Assembly that Ann Ludlow paid Robert Barclay for twenty acres of land which has not been deeded to the said Ann, and that the said Robert Barclay is since dead for remedy whereof;

Preamble,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana;* That George Bentley and Elizabeth Barclay, be, and they are hereby authorised and required to convey by deed of general Warranty to the said Ann twenty acres of land, being part of the south east quarter of section numbered twenty in township five south of range four east of the district of land sold at Jeffersonville and bounded as follows, to wit: beginning at a stake at the south-east corner of the above described quarter section thence north forty poles, thence west eighty poles, thence south forty poles, thence east eighty poles to the beginning, which deed when duly executed

Description
and boundaries of
land to be
conveyed.

ted by the above named George and Eliza-
beth shall convey to the said Ann all right
and title to the above described twenty
acres of land.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved January 24. 1822.

JONATHAN JENNINGS,

CHAPTER LXXVIII.

AN ACT authorising John Fishlie to keep a
Ferry below and adjoining the town of Jeffers-
onville.

Preamble.

WHEREAS it has been represented to
this General Assembly that John Fishlie is
desirous to establish a ferry from his land
lot number one in the Illinois grant below
and adjoining the town of Jeffersonville
across the Ohio river and to the mouth of
Bear Grass creek and it appearing to the
satisfaction of this General Assembly that
said ferry will promote the convenience of
travellers and conduce to the public ben-
efit—Therefore,

Ferry gran-
ted to John
Fishlie.

SEC. 1. *Be it enacted by the general as-
sembly of the state of Indiana,* That the said
John Fishlie be and he hereby is author-
ized and empowered to keep a ferry from
the land belonging to him in lot number
one in the Illinois grant adjoining the town
of Jeffersonville and to ferry from said land

across the Ohio river to the opposite shore
or to the mouth of Bear Grass creek. *Pro-
vided* the said Fishlie shall within six months
after the publication of this act execute a
Bond with one or more good and sufficient
freeholders as security in the sum of five
hundred dollars payable to the commission-
ers of Clark county and their successors in
office conditioned that the said Fishlie
shall keep or cause to be kept the said fer-
ry agreeably to law which bond may be de-
livered to the board of commissioners when
sitting or in vacation be filed with the
clerk.

Restrictions
thereof.

SEC. 2. *And be it further enacted,* That
said Fishlie or any person or persons own-
ing or keeping said ferry hereby establish-
ed shall be entitled to ask and receive from
all persons using said ferry hereby estab-
lished such reasonable rate or rates of
ferriage as now are or shall hereafter be
fixed by law and shall likewise be subject
to such fines and penalties rules and re-
strictions as now are or shall be prescrib-
ed by law for the regulation and good go-
vernment of ferries established on the
Ohio river, *Provided* that the commission-
ers of said county of Clark may vacate
said ferry at any time hereafter if the said
ferry should not be kept up and attended
to according to the provisions of the act
entitled an act regulating ferries and an
act supplemental thereto or for any of the
causes which would authorise said com-

Rates fer-
riage.

Regulations
defined.

Commissioners to vacate any ferry established
in pursuance of the act before mentioned.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON.

President of the Senate.

Approved January 2d, 1822.

JONATHAN JENNINGS.

CHAPTER LXXIX.

AN ACT providing for the collection of fines in
certain cases.

Judgments
for the a-
mount of
fines, staid
for three
months on
free hold
security.

SEC. 1. *Be it enacted by the General As-
sembly of the state of Indiana,* That from
and after the publication of this act if any
person or persons shall be legally convict-
ed of any offence against the state of In-
diana punishable by fine only or for a
breach of any of the provisions of an act
entitled "An act to prevent certain immo-
ral practices, approved January the third
eighteen hundred and seventeen; and
judgment be rendered against him her or
them for the amount of any fine assessed
by virtue of such conviction it shall be
lawful for the defendant or defendants to
replevy the same by entering freehold se-
curity on the record in the clerk's office
where such judgment was rendered, to the
satisfaction of the clerk; and if before a
justice of the peace on the docket of such
justice to the satisfaction of the justice

which replevy shall operate as a stay of
execution for the term of three months
from the time of rendering such judgment;
and if the amount so replevied be not paid
at the time the same shall become payable
execution shall issue against the lands
tenements goods and chattels of the said
defendant and his security or securities as
in other cases.

SEC. 2. That hereafter when any per-
son or persons against whom judgment
may be rendered for any offence contem-
plated in the first section of this act fails
to pay the amount of such judgment to-
gether with costs or replevy the same it
shall be lawful for the clerk of the circuit
court of the proper county or justice of
the peace (as the case may be) to issue ex-
ecution against the goods and chattels of
the defendant or defendants failing so as
aforesaid, and it is hereby made the duty
of the sheriff or other officer whose duty
it may be to serve such execution to levy
on the goods and chattels of said defend-
ant or defendants in so much can be found
sufficient to satisfy such execution togeth-
er with costs and proceed to sell the same
to the highest bidder: *provided* that ten
days notice shall be given of the time and
place of such sale by advertising in three
of the most public places in the township
where such defendant or defendants re-
side; and for want of such goods and
chattels whereon to levy, it shall be the
duty of the officer whose duty it may be to

If not re-
plevied, ex-
ecution
shall issue.

Sheriff's
duty.

10 days no-
tice shall
be given.

Further da-
ty of officers

Serve such execution to convey the defendant or defendants to the prison of the proper county who shall therein remain until discharged according to law.

Clerk's duty.

Justices of the peace's duty.

SEC. 3. It is hereby made the duty of the clerks of the Circuit Courts to furnish the board of county commissioners in their respective counties at their May session annually a complete list of all judgments rendered for fines the preceding year in their respective counties; also justices of the peace are hereby required to furnish the board of county commissioners of their respective counties at their aforesaid session in May annually complete lists of all judgments rendered by them for fines the preceding year, the name of the person or persons against whom the same were rendered and the amount collected on such judgments.

The penalty in case of non-compliance.

SEC. 4. In case of any of the clerks or Justices of the peace failing to comply with any of the provisions of this act such clerk or Justice shall on conviction thereof before any court having competent jurisdiction thereof be fined in any sum not less than twenty nor more than one hundred dollars.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved December 31st. 1821.

JONATHAN JENNINGS.

CHAPTER LXXX.

AN ACT respecting county Libraries and county Agents.

WHEREAS much difficulty and inconvenience have arisen and injury sustained to county libraries on account of county agents withholding the ten per centum arising from the sale of lots and set apart for county libraries; (or part thereof) and whereas suits to recover the same will be attended with much cost and delay—for remedy whereof:

Preamble.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That on the presentment of an order by the treasurer of any county library in this state the said order being signed by the president and attested by the clerk of said library) to the proper agent of the county, it shall be the duty of said agent forthwith to pay over all moneys in his hands due said library; and on failure thereof said treasurer shall have a right to proceed against such delinquent agent by motion in the circuit court the treasurer aforesaid having given said agent ten days previous notice, and the said court shall give judgment against said agent for such sum as may be found due to said library and execution shall be awarded for such sum.

When county agents shall pay over to treasurers of co. Libraries the amount of cash in their hands.

With costs and interest against such agent or his securities without stay thereon.

SAMUEL MILROY, Speaker
of the House of Representatives;
RATLIFF BOON.

President of the Senate;

Approved January 3d, 1822:

JONATHAN JENNINGS.

CHAPTER LXXXI.

AN ACT authorising the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund for opening the said roads.

Three per cent. fund appropriated.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the sum of one hundred thousand dollars, of the fund commonly called, the three per cent. fund, due from the Government of the United States, to this state, arising from the sales of public lands in this state, be and the same is hereby appropriated to the purposes and in manner and form as is hereinafter provided.

The sum appropriated for opening the road from Evansville to Terre Haute.

SEC. 2. That a road from Evansville to Princeton through the main street thence to Vincennes thence to Carlise thence to Merom thence to Terre Haute be and the same is hereby established in length one hundred and forty miles and that the sum of nine hundred and eighty and thirty one dollars and fifty cents be and the same

is hereby appropriated to the opening the same and that John J. Neely of Gibson county Samuel Emerson of Knox county and James Wason of Sullivan county be and they are hereby appointed commissioners to the same.

Commissioners appointed.

SEC. 3. That a road from the Wabash river opposite Mount Carmel to Peterburgh thence to the high banks on White river be and the same is hereby established in length forty four miles to be opened not exceeding thirty-five feet wide and in all other respects as the commissioners in this section named shall direct and that the sum of three thousand and eighty eight dollars and eighty eight cents be and the same is hereby appropriated to the opening the same and that James Robb of Gibson county Henry Hopkins and John Case of Pike county be and they are hereby appointed commissioners to the same.

For opening a road from the Wabash to the high banks of White river

Commissioners.

SEC. 4. That a road from Mount Vernon to Springfield thence to Owingville thence to Princeton be and the same is hereby established in length forty-four miles to be opened not exceeding thirty-three feet wide and in all other respects according to the direction of the commissioners hereinafter named in this section; and that the sum of three thousand eighty-nine dollars and eighty cents be and the same is hereby appropriated to the opening the same, and that William Casey and Danor Lynn of Posey county and Jesse Emerson of Gibson county be and the same are

From Mt Vernon to Princeton.

Appropriation.

Commissioners.

hereby appointed commissioners to the same.

From M't
Prospect to
Petersburg.

SEC. 5. That a road from Mountprospect on the Ohio river thence through Boonville thence to Petersburg in Pike county be and the same is hereby established in length fifty miles and that the sum of three thousand five hundred and eleven dollars and twenty-three cents be and the same is hereby appropriated to the opening the same and that John M. Cord and George W. Zevault of the county of Warrick and Isaac Montgomery of the county of Pike be and they are hereby appointed commissioners to view mark and lay out the same.

Commis-
sioners.

From high-
lands on
White river
to Indian-
apolis.

SEC. 6. That a road from Highlands on White river to Washington thence to Burlington thence to Spencer thence to Indianapolis, be and the same is hereby established in length one hundred miles and that the sum of seven thousand and twenty-two dollars and forty cents be and the same is hereby appropriated and that Elijah Hammon of Pike Benjamin Stafford of Green and William McCormick of Davies counties, be and they are hereby appointed commissioners to the same.

Appropria-
tion.

Commis-
sioners.

From Rock-
port to
Bloomington.

SEC. 7. That a road from Rockport to Portersville thence to Hindostan, thence to Bloomington be and the same is hereby established in length eighty miles and that the sum of five thousand four hundred and seventeen dollars and ninety cents be and the same is hereby appropriated to the opening the same and that Joseph D. Clem-

Appropria-

ents of Martin Michael Buskirk of Monroe and Samuel Snyder of Spencer counties be and they are hereby appointed commissioners to the same.

Commis-
sioners.

SEC. 8. That a road from the Horse-Shoe Bend to Paoli thence to Palestine thence to Bloomington thence to Indianapolis be and the same is hereby established in length one hundred and twenty miles and that the sum of eight thousand four hundred and twenty-six dollars and ninety-six cents be and the same is hereby appropriated to the opening the same and that John Anderson of Lawrence county Sam'l Chambers of Orange county and Thos. Posey of Harrison county be and they are hereby appointed commissioners on the same.

From horse
shoe bend
to Indian-
apolis.

Appropria-
tion.

Commis-
sioners.

SEC. 9. That a road from Mock's ferry to Corydon thence to Salem thence to Brownstown thence to Indianapolis be and the same is hereby established in length one hundred and twenty-nine miles and that the sum of eight thousand nine hundred and eighty-eight dollars and seventy-six cents be and the same is hereby appropriated to opening the same and that George Boon of Harrison county Jonathan Lyon of Washington county and John Craig of Jackson county be and they are hereby appointed commissioners to said road & that Joseph Bartholomew of Clarke county is hereby appointed to assist the commissioners aforesaid to view the road from Brownstown to Indianapolis.

From
Mock's fer-
ry to Indi-
anapolis.

Appropria-
tion.

Comm'rs.

From New-
Albany to
Bono.

SEC. 10. That a road from New-Albany to Salem thence to Bono be and the same is hereby established in length forty-five miles and that the sum of three thousand two hundred and fifty dollars and eighty cents be and the same is hereby appropriated to the opening the same and that Seth Woodruff of Floyd county and William Richards and Nathan Trueblood of Washington county be and they are hereby appointed commissioners on the said road.

Comm'rs.

From New-
Albany to
Vincennes.

SEC. 11. That the road from New-Albany in Floyd county by the way of Greenville Fredericksburgh Paoli and Hindostan and Washington to Vincennes be and the same is hereby established as a state road and that the sum of five thousand seven hundred and seventy-five dollars and seventy-three cents be and the same is hereby appropriated for the purpose of opening and repairing the same & that Benjamin V. Beckes of Knox county John G. Clendennin of Orange county and Maurice Morris of Floyd county be and they are hereby appointed commissioners for opening and superintending the same the said commissioners shall be governed in all respects by the provisions hereinafter provided.

Appropriation.

Comm'rs.

From Jeffersonville
to Flemers.

SEC. 12. That a road from Jeffersonville to John Flemers in Washington county in length thirty-eight miles be and the same is hereby established and that the sum of two thousand seven hundred and forty

five dollars twelve and one half cents be and the same is hereby appropriated to the same and that Orlando Raymond of Clark county and William Lindley and Joel Combs of Washington county be and they are hereby appointed commissioners on the same.

Comm'rs.

SEC. 13. That a road from McDonald's ferry to Brownstown in length forty-five miles be and the same is hereby established and that the sum of three thousand two hundred and fifty dollars and eighty cents be and the same is hereby appropriated to the same and that William Crenshaw of Jackson county and Evan Shelby and John M. Lemon of Clark county be and they are hereby appointed commissioners on the same.

From M^c
Donald's
ferry to
Brown-
town.

Appropriation.

Comm'rs.

SEC. 14. A road from Bethlehem in Clark county by the way of New Washington to Lexington in Scott county thence to the south fork of Muscatutuck river at or not more than one mile west of the state ford on said river at the discretion of the commissioners thence to the lower falls of the Drift-Wood fork of White river thence by the best route until it intersects the road leading from Brownstown to Indianapolis be and the same is hereby established and that the sum of three thousand and thirty-three dollars and eighty cents be and the same is hereby appropriated to the opening the same and that William Plasket of Clark county James Ward of Scott county and William Reddick of Jackson county be and they

From Beth-
lehem to In-
dianapolis.

Appropriation.

Comm'rs.

are hereby appointed commissioners to the said road.

From Madison to Indianapolis.

Appropriation.

Comm'rs.

From Vevay to Versailles.

Appropriation.

Comm'rs.

From Lawrenceburgh to Indianapolis.

Appropriation.

Comm'rs.

SEC. 15. That a road from Madison to Vernon thence to Columbus thence to Indianapolis in length eighty eight miles be and the same is hereby established and that the sum of six thousand three hundred and fifty-seven dollars and twelve cents be and the same is hereby appropriated to the same and that Joshua Wilkinson of Jefferson county William C. Brumwell of Jennings county and John Parker of Bartholomew county be and they are hereby appointed commissioners to said road.

SEC. 16. That a road from Vevay to Versailles intersecting the Lawrenceburgh road at or near Napoleon in length thirty eight miles be and the same is hereby established and that the sum of three thousand and one hundred and sixty-six dollars sixty-two and one half cents be and the same is hereby appropriated to the opening the same and that Simeon Slawson and Joseph Mailen of Switzerland county A. W. Stewart of Ripley county be and they are hereby appointed commissioners to the said road.

SEC. 17. That a road from Lawrenceburgh to Indianapolis to follow the road already marked and laid off in length eighty-eight miles and that the sum of six thousand three hundred and thirty-three dollars and thirty-three and one half cents be and the same is hereby appropriated to the opening the same and that Stephen Ladlow Timothy Davies and John Walker

of Dearborn county be and they are hereby appointed commissioners to the same. This road is hereby established sixty-six feet wide and the commissioners for said road shall have power to alter said road in any manner so as not to increase the distance nor cause the same to pass over worse ground.

SEC. 18. That a road from the line dividing the state of Ohio from this state to Brookville thence to Indianapolis in length seventy-eight miles be and the same is hereby established and that the sum of four thousand three hundred and sixty-two dollars and forty-four cents be and the same is hereby appropriated to the opening the same and that David Mount Samuel Shirk and John Davies of Franklin county be and they are hereby appointed commissioners on the same.

SEC. 19. That a road from the line dividing the state of Ohio from this state at a point where a road from Oxford in the state of Ohio intersects the line aforesaid thence to Connersville from thence to Indianapolis in length seventy-six miles be and the same is hereby established and that the sum of four thousand two hundred and forty-nine dollars and thirty-two cents be and the same is hereby appropriated to the opening of the same and that John Perrin and Stanhope Royston of Fayette county and Zachariah Ferguson of Union county be and they are hereby appointed commissioners on the said road.

From the state of Ohio through Brookville to Indianapolis.

Appropriation.

Comm'rs.

From the state of Ohio through Connersville to Indianapolis.

Appropriation.

Comm'rs.

From the
state of O-
hio through
Salsbury to
Indianapo-
lis.

Appropri-
ation.

Comm'rs.

From the
Ohio line
thro' Win-
chester to
Indianapo-
lis.

Appropri-
ation.

Comm'rs.

Their pow-
er to erect
bridges.

SEC. 20. That a road from the line di-
viding the state of Ohio and this state near
Peter Fleming's to Richmond Salsbury
thence to Centerville thence west with
the line parallel the surveys to the west-
ern boundary of Wayne thence to Indian-
apolis in length seventy-five miles be and
the same is hereby established and that
the sum of four thousand one hundred and
ninety-two dollars and seventy-five cents
be and the same is hereby appropriated to
the opening the same and that James
Peggs Levi Jones & John Scott of Wa ne
county be and they are hereby appointed
commissioners on said road.

SEC. 21. That a road from the Ohio line
dividing this state from Ohio from a direc-
tion from Greenville in said state to Win-
chester to intersect the Richmond road to
a point not exceeding twenty miles from
Indianapolis in length sixty miles be and
the same is hereby established and that
the sum of two thousand six hundred and
seventy-two dollars and fifty-six cents be
and the same is hereby appropriated to the
opening the same and that Joshua Foster
John Way and Ishem Puckett of Ran-
dolph county be and they are hereby ap-
pointed commissioners on said road; And
shall have power (if they deem it expedi-
ent) to cause to be erected any bridge or
bridges, over any water course on any of
the said roads and to apply a proportion
of the money appropriated to such road to
defray the expenses of erecting the same
and the contracts entered into for the

erection of any such bridge shall be gov-
erned in every respect agreeably to the pro-
visions of this act.

SEC. 22. That a road from Indianapolis
in Marion county to Terre Haute in Vigo
county be and the same is hereby estab-
lished in length seventy miles and that
three per cent. out of all the monies here-
by appropriated to the several roads west
of the meridian road be appropriated to
the opening and repairing the same; and
that James Blake of Indianapolis John
Hamilton and John M. Coleman of Vigo
county be and they are hereby appointed
commissioners on said road.

SEC. 23. That a road from Rising-Sun
in Dearborn county to Versailles in Ripley
county in length twenty-six miles be and
the same is hereby established and the sum
of one thousand dollars be and the same is
hereby appropriated to the opening the
same and that John Barricklow and James
Lewis of Dearborn county and John Hun-
ter of Ripley county be and they are here-
by appointed commissioners on the said
road.

SEC. 24. That the said commissioners
shall meet at the various points at which
their respective roads commence on the
first day of April next or at some subse-
quent day thereafter which may be ap-
pointed by said commissioners or a major-
ity of them at which time and place they
shall each of them take an oath or affirm-
ation well and truly and without fraud to
carry into execution the provisions of this

From In-
dianapolis
to Terre-
Haute.

Appropri-
ation.

Comm'rs.

From Ris-
ing Sun to
Versailles.

Appropri-
ation.

Comm'rs.

When and
where com-
missioners
shall meet.

Shall take
an oath.

act according to the true intent and meaning thereof.

Shall enter into bond with security.

Condition thereof.

Shall elect a president.

Shall record their proceedings and sign contracts.

SEC. 25. That the said commissioners when so convened shall enter into bond with security to be approved by the clerk of the Circuit Court in the county where they may respectively meet in double the sum that is appropriated by this act to the roads to which such commissioners may belong which bond shall be drawn payable to the Governor of this state and his successor in office conditioned that the said commissioners shall well and truly execute the trust confided to them by this act and that the said commissioners will receive and pay out for the opening such road the sum which is appropriated to the same and that they report annually to the Secretary of State the situation of the roads and their respective funds until the appropriation is expended which bond shall be filed in the clerk's office aforesaid which may be put in suit as other bonds of a public nature are.

SEC. 26. That the said commissioners so soon as they have complied with the two preceding sections of this act shall proceed to elect by lot or ballot one of their number as President and that they keep a record of their proceedings and that the President of such board with the consent of a majority of the commissioners may and shall sign all and any necessary instrument of writing which may be necessary to the effecting the intentions of this act.

SEC. 27. That Christopher Harrison be **C. Harrison** and he is hereby appointed Agent on the **agent on the** part of this state to draw the fund commonly called the three per cent. fund who shall give bond with good and sufficient security or securities to the Governor of this state and his successor in office in the sum of one hundred and fifty thousand dollars conditioned for the faithful performance of the trust reposed in him by virtue of this act and for paying over the sum as contemplated herein said bond to be approved of by the Governor for the time being and he is hereby authorized and required to draw on the Treasury of the **His power and duty.** United States for the sum of one hundred thousand dollars the sum appropriated as a part of the fund commonly called the three per cent. fund in the first section of this act and that the said Agent be and he is hereby authorized and empowered as the Agent aforesaid to execute all such receipts and acquittances as the practice of the Treasury department of the United States may make necessary and it shall be the duty of such Agent to receive the above sum in gold silver or its equivalent or such part thereof as is or may be due being the whole or a minor amount.

SEC. 28. That should the sum of one **Agent's** hundred thousand dollars not be received **further duty.** by said Agent he shall receive such part as may be due and pay it over to the commissioners of the various roads in direct proportion to the appropriations made to

the roads respectively subject to the provisions of this act.

Duty of
comm'rs.

SEC. 29. That the commissioners of the respective roads in this state shall so soon as they may have complied with the previous provisions of this act proceed to mark and lay off their respective roads from the points of beginning to that of the termination taking care to embrace the intermediate points and to divide said roads respectively into a suitable number of districts not exceeding five miles each and shall immediately advertise in three or more public places in the respective counties through which said road may run and elsewhere if they may think proper that on a certain day they will meet at a certain place to be by them named which shall be at least thirty days after the date of such advertisement and the laying and marking out of such road; proceed to receive proposals for the clearing out said road which proposals shall be in writing signed by the party making the proposition and handed in sealed and the said commissioners on the day and place so appointed shall proceed to open such propositions for the opening any such road or district of road and if any of the propositions so submitted shall be approved by said commissioners or a majority of them they are hereby required and authorized to close with such proposal and the said commissioners are hereby authorized and required to take bond and security of such applicant for the opening said road or a

Shall dis-
trict their
respective
roads.

Shall ad-
vertise
when and
where they
will receive
proposals.

Shall take
bond & se-
curity for
the perfor-
mance of
contracts.

part thereof if such road shall have been laid off in lots in such manner as may have been determined upon by said commissioners or a majority of them the width of the road and the manner in which it shall be executed, the day by which it shall be done and shall covenant in such other manner and way as they may think best calculated for the public interest which said bond shall be drawn in favour of the President of such commissioners in double the sum contained in the adopted proposition; *Provided* however that no person or persons shall be allowed to undertake any part of any one of the above mentioned roads unless he or they are resident citizen of this state.

SEC. 30. That the undertaker of any such road or part of such road so soon as he shall have given the aforesaid bond shall be and he is hereby entitled to a draft on the principal Agent for one third of the sum of money which may be contained in the proposition to which such undertaker's name may be affixed and the President of the commissioners of the proper road shall be and he is hereby authorized and required to draw the same and the said Agent is hereby authorized and required to accept and pay the same.

SEC. 31. That so soon as any such undertaker shall complete the road, or lot of road, to the satisfaction of the proper commissioners, he shall be, and is hereby entitled to have, and receive, a second draft, for the balance due on such contract, up-

Undertake-
rs to be
citizens of
this state.

Undertaker
to receive a
draft to the
amount of
one third of
contract.

Balance
when paid.

on the general Agent, who is required to pay the same in like manner.

Undertakers may take gravel, stone, &c.

SEC. 32. That the undertakers of the several roads or parts of roads, in this state shall be, and they are hereby authorized, to take gravel, stone, or timber from any lands next adjoining said road, which may be necessary on said road, but with as little damage to the said land as possible.

Penalty for persons altering or obstructing state roads.

SEC. 33. That the said roads, so directed to be opened, when opened shall be considered state roads, and it shall be unlawful for any person or persons to turn, change, injure, or obstruct any of said roads, without an act of the General Assembly for such purpose first had and obtained, and if any person, or persons shall be guilty of any of the above offences, he shall be fined in any sum not exceeding one hundred dollars, upon indictment and conviction.

Agent when he receives the money shall give notice thereof.

SEC. 34. The Agent so soon as he becomes in possession of the said sum of one hundred thousand dollars, or of any less sum, shall by advertisement give notice of the fact, to the road commissioners, in some newspaper in this state.

His duty in case the amount appropriated be not due.

SEC. 35. If the whole amount of one hundred thousand dollars, be not due from the Treasury of the United States, from the three per cent. fund, the Agent shall upon the reception of any smaller sum by calculation, ascertain, the amount which each road shall be entitled to, out of the sum so received, and inform the respective

road commissioners of such amount, who shall be, governed accordingly.

SEC. 36. That the commissioners are hereby enjoined and required, to make or cause to be made, each and every part of their respective roads equally good as near as may be, and they are also required and enjoined, to cause their respective roads, to be opened forty-eight feet wide, and take off all timber even with the ground; except such as are eighteen inches and upwards, which shall be cut at the usual height of twelve inches.

SEC. 37. *And be it further enacted*, That if any of the before named commissioners, shall fail or refuse to serve, the county commissioners in the county where such delinquent may reside, shall appoint some suitable person or persons, to fill such vacancy, and the person so appointed, shall take an oath, and proceed in the same manner as the commissioners appointed under the provisions of this act.

Vacancies of road comm'rs how filled.

SEC. 38. *And be it further enacted*, That the commissioners appointed under the provisions of this act shall have power to employ a surveyor, and chain bearers, as need may require, and shall make such allowance as they may deem just and equitable.

Empowered to employ surveyors, &c.

SEC. 39. *And be it further enacted*, That the commissioners, on each of the roads that may be laid out under their directions, shall at the end of every mile thereof, cause to be set up, a stone, post, or some good durable timber, on which shall be

Shall erect mile-stones.

Money how
laid out
when roads
unite.

carried in letters, and figures, the distance to the point where such roads start from.

Sec. 40. If any two of the roads hereby established which shall terminate at Indianapolis shall be so laid out, as to intersect before the termination at the aforesaid place, then in that case, but one half of the money hereby appropriated to open such road, from the point of junction, as shall be expended on such united roads, and the residue thus reserved shall be expended by the commissioners in the erection of bridges, on the roads so intersecting beyond the point of junction, from Indianapolis, in equal proportion, on each road so intersecting.

Commissioners
shall make
records of
the location
of roads.

Sec. 41. The commissioners of any of the roads, mentioned in this act, or a majority of them shall immediately after the completing the locations of the said roads, make out correct reports of the same, and file a copy thereof in the clerk's office of the counties through which such roads may run and such clerk shall record so much of the same as relates to the road, laid out in his county, *provided* that where any road, named in this act shall have been wholly, or in part laid out, under the provisions of the act, locating certain permanent roads therein named, approved January the twenty second, one thousand eight hundred and twenty, and returns of which may be made from the taking effect of this act, such road is hereby confirmed, subject however to be altered, so as to be on better ground without materially in-

creasing the distance, and it shall only be necessary for said commissioners to report the alterations by them made.

SAMUEL MILROY, Speaker
of the House of Representatives;
RATLIFF BOON,
President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

RESOLUTIONS.

A JOINT RESOLUTION

Of the General Assembly of the state of Indiana.

Resolved by the General Assembly of the state of Indiana. That the Secretary of State be instructed to contract immediately for the printing of three hundred copies of the act laying off this state into Judicial circuits; the act for assessing and collecting revenue; "and the act to amend the act reducing into one all the acts regulating the proceedings in actions at law and suits in chancery;" and that the said copies may be sent on if possible by the members of the present General Assembly.

This resolution to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives;
RATLIFF BOON,
President of the Senate.

Approved January 3d, 1822.

JONATHAN JENNINGS.

A JOINT RESOLUTION

For the benefit of the Public Printer.

Resolved by the General Assembly of the state of Indiana. That the Auditor of Public Accounts audit, and the Treasurer of state pay to Matthew Patriok, the sum of four hundred dollars out of any money in the Treasury not otherwise appropriated, in part compensation for executing the public printing for the present session of the General Assembly; and that the sum of four

hundred dollars be, and the same is hereby appropriated for the purpose aforesaid: *Provided* nevertheless that the said sum shall not be paid, but in funds according to the contract entered into with the said printer.

This resolution to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives;

RATLIFF BOON,
President of the Senate;

Approved December 1st. 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

On the subject of Education.

WHEREAS it is represented to this General Assembly of the state of Indiana, that a majority of the committee appointed at its last session, by a joint resolution to promote education, is now at the seat of government, and that the duty confided to it has not as yet been discharged. Therefore,

Be it resolved, by the General Assembly of the state of Indiana, That as many members of the said committee as may have arrived, or shall arrive at the seat of government, to attend to the important object of the said resolution, be and they are hereby authorised to proceed in report accordingly.

SAMUEL MILROY, Speaker
of the House of Representatives;

RATLIFF BOON,
President of the Senate.

Approved November 29th. 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

For the relief of Benjamin Adams.

WHEREAS it is represented to the General Assembly of the state of Indiana, that Benjamin Adams minister of the gospel of the county of Harrison and state aforesaid, hath by accident lost some marriage licenses and failed to file the certificates of some others in the time prescribed by law, for remedy whereof,

Resolved by the General Assembly of the state of Indiana. That the said Benjamin Adams be authorised to file the certificates of

such licenses in the clerk's office and that the same shall be as valid as if they had been filed in due time.

SAMUEL MILROY, Speaker
of the House of Representatives;

RATLIFF BOON,
President of the Senate.

Approved January 20. 1822.

JONATHAN JENNINGS.

Resolved by the General Assembly of the state of Indiana. That the second Friday in April next be observed as a day of public supplication and prayer to Almighty God, that he may avert the just judgments impending our land; and that in his manifold mercies he will bless the country with fruitful seasons, and our citizens with health and peace. *Resolved also,* that the governor be requested to issue his proclamation requiring the citizens to abstain from all servile labor on said day; and soliciting religious societies of every denomination to keep and observe the same as a day of humiliation fasting and prayer.

SAMUEL MILROY, Speaker
of the House of Representatives;

RATLIFF BOON,
President of the Senate.

Approved December 31st. 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

Concerning the Public Debt.

Resolved by the General Assembly of the state of Indiana. That the state Treasurer by himself in person or some suitable agent, be, and he is hereby instructed forthwith, to make demand of payment on all notes in the Treasury, issued by the Bank of Vincennes adopted as the state Bank of Indiana, made payable at either of its branches; which demand shall be made in the presence of two or more respectable witnesses, who, should payment be refused shall certify in writing under their hands that such demand was made on a day certain, to be named in such certificate, at the Bank or usual place where such Bank has been in the habit of doing business, and during the regular banking hours, and payment refused, or that no person could be

found to make the demand, who was authorised as Cashier Agent or Clerk to transact business for such Bank.

Resolved further, That in case the said several Banks should refuse or neglect to pay the amount of their several notes so as aforesaid demanded: it shall be the duty of the said Treasurer, immediately thereafter to proceed to the mother Bank of Indiana at Vincennes, and tender in payment of the debt due by the state to said Bank by several bonds, the notes so protested.

This resolution to take effect and be in force from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON, President of the Senate.

Approved December 22d, 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

To provide for printing and distributing the Militia Law.

Resolved by the House of Representatives, the Senate concurring therein, That the public printer be, and he is hereby required to print two thousand copies of "an act for the better regulation of the militia of this state," passed at the present session of the General Assembly; and that Harbin H. Moore be, and he is hereby appointed to prepare the necessary index and marginal notes to the said law for which he shall be paid a reasonable compensation out of the contingent fund by order of the Commander in Chief; the said law when printed shall be distributed at the same time the other acts of the present session of the General Assembly are distributed in such proportion among the different regiments and battalions, that each commissioned and staff officer, and each member of this General Assembly shall receive one copy; the remainder of the copies to be deposited by the public printer in the office of the secretary of state subject to the orders of the Commander in Chief.

This resolution shall take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON, President of the Senate

Approved December 31st, 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

Confirming the line between the states of Indiana and Illinois.

Resolved by the General Assembly of the state of Indiana, That the plat and field notes of the line dividing the states of Indiana and Illinois, made by John M. Donald surveyor and approved the twenty-sixth day of July eighteen hundred and twenty-one by John Tipton and Samuel M. Clinton commissioners on the part of said states respectively, be deposited in the office of the Secretary of state for safe keeping.

RESOLVED ALSO, That the said line, commencing on the north or north west bank of the Wabash river forty-six miles from Vincennes, & terminating in Lake Michigan, be and the same is hereby approved, ratified and confirmed, on the part of this state: and that so soon as said line shall be ratified on the part of Illinois the same shall be, and remain the permanent boundary line between the states of Indiana and Illinois.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,

President of the Senate.

Approved December 14th, 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

Respecting the three per cent. act.

Resolved by the General Assembly of the state of Indiana, That the Secretary of State be and he is hereby instructed and directed to contract for and procure to be immediately printed after the same shall be approved five hundred copies of the act passed at the present session entitled "an act authorising the laying off certain state roads in this state and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund for opening said roads," two hundred whereof shall be for the use of the members of the Senate and the balance for the members of the House of Representatives in order that the subjects embraced therein may receive immediate circulation throughout the state. And that the expense for the said printing be audited by the auditor and paid by the treasurer out of any money in the treasury not otherwise appropriated.

This resolution to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON, President of the Senate.

Approved December 31st, 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

Concerning the laws passed at this session of the General Assembly.

Resolved by the general assembly of the state of Indiana. That the secretary of state be, and he is hereby authorised and required so soon as practicable to arrange and deliver all the laws and joint resolutions passed at this session of the general assembly, together with the journals, to the public printer, who is authorised by law to print the same; and such public printer is hereby required to return the same in good order to the office of the secretary of state, when the work is executed.

This resolution to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON,
President of the Senate.

Approved January 3d, 1822.

JONATHAN JENNINGS.

A JOINT RESOLUTION.

Resolved by the general assembly of the state of Indiana. That the sum of fifty dollars be and the same is hereby appropriated for the purpose of purchasing two stove pipes, one for the stove in the Senate chamber and the other for the one in the Representatives' chamber: and that the Auditor of public accounts do audit, and the Treasurer pay the same to Robert A. New Secretary of state, out of any monies in the treasury, not otherwise appropriated.

This resolution to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON, President of the Senate.

Approved December 11th, 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

Respecting the trial of the impeachment of Curtis Gilbert clerk of the circuit court of Vigo county.

Resolved. That the auditor of public accounts is hereby directed to audit the claims of the witnesses summoned and examined before the high court of impeachment on the trial of Curtis Gilbert clerk of the circuit court of Vigo county, at the rate of one dollar per day each, for and during the time of their attendance on said court, and one dollar for every twenty-five miles going to, and returning from said court.

SAMUEL MILROY, Speaker
of the House of Representatives.

RATLIFF BOON, President of the Senate.

Approved December 22d, 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

On the subject of public land lying within the Terre Haute Land District.

WHEREAS it has been made known to this general assembly of the state of Indiana, that a numerous and enterprising population has emigrated to the vicinity of the United States lands lying in the Terre Haute district, in the said state, who are anxious to make purchases of the unsold lands in said district, and establish a permanent residence there, and that many emigrants have left, and also are about to leave, that part of the state, in consequence of the contemplated sale by the government not having taken place, therefore,

Be it resolved by the general assembly of the state of Indiana. That an order for the sale of said lands as soon as practicable, including the Indian reserve on Racoon creek is desirable, and that this joint expression of the feelings of the general assembly on the subject, be very respectfully submitted by our representative in Congress, to the President of the United States.

And resolved farther, that the secretary of state immediately on the passage and approval of this resolution, forward an an-

Authenticated copy of the same, to the Honorable William Hendricks.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate,

Approved December 1st, 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

(Of the General Assembly of the state of Indiana,) changing the place of holding the election in Harrison township in the county of Harrison.

Resolved by the general assembly of the state of Indiana, That the election to be holden in Harrison township in the county of Harrison on Wednesday the fifth instant, shall be held at the house of John Aydelot on lot number fifty-six in the town of Corydon in the county of Harrison.

This resolution to take effect from and after its passage.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate,

Approved December 7th, 1821.

JONATHAN JENNINGS.

A JOINT RESOLUTION

For the benefit of Harbin H. Moore, and for other purposes.

Resolved by the general assembly of the state of Indiana, That Harbin H. Moore be allowed the sum of fifty dollars as a balance of a compensation, for his house in Corydon occupied during the last year by his Excellency the governor of the state of Indiana, and it shall be the duty of the auditor of state to audit the amount of the said sum, and the treasurer of state, is hereby authorized to pay the same out of any monies in the treasury not otherwise appropriated.

And be it further resolved, That the chief Executive of this state is hereby authorized to rent quarterly such convenient dwelling house and suitable out buildings for his own use and

comfort, as he may deem proper for the ensuing year; and it shall be the duty of the auditor of state to audit the amount of said rent quarterly; and the treasurer of state is hereby authorized to pay the same, out of any monies in the treasury not otherwise appropriated.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved January 3d, 1822.

JONATHAN JENNINGS.

Resolved by the general assembly of the state of Indiana, That the Honorable Benjamin Parke be notified of his election to revise the laws of this state, and that the secretary of state be requested to transmit to him a copy of the act entitled "an act to establish a permanent system of statute laws," passed this session.

SAMUEL MILROY, Speaker
of the House of Representatives,
RATLIFF BOON,
President of the Senate.

Approved January 3d, 1822.

JONATHAN JENNINGS.

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